



The Cost of Special Education in San Mateo County School Districts

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Issue

Are the North County Special Education Consortium and the San Mateo County Office of Education (through the Special Education Local Plan Area) developing effective strategies to reduce the fiscal impact on general fund support in County school districts for special education programs and services?

Investigation

The 2009-2010 San Mateo County Civil Grand Jury (Grand Jury):

- Reviewed special education law and became familiar with federally mandated requirements.
- Interviewed administrators of the San Mateo County Office of Education, North County Special Education Consortium, and the Menlo Park City School District
- Studied special education program and cost data provided by the school districts through the Special Education Local Plan Area (SELPA) administrators at the San Mateo County Office of Education (COE).

Background

In the past, most children with special educational needs received little or no help from public school systems. The situation changed in 1975 when Congress passed a law now known as the Individuals with Disabilities Education Act (IDEA). According to the law, a child with a handicap is entitled to a “free appropriate public education (FAPE)”. IDEA expanded the definition of disabilities. Children with special needs were now not only the visually impaired, hearing impaired, the orthopedically impaired, and the mentally retarded; they were also children with reading, math, listening, and speech disorders - thirteen categories in all. The law said each special education child was to have an Individualized Education Plan (IEP). The program was called Special Education.

The IDEA law had many procedures and conditions. Special Education has parental control provisions that are not part of regular mainstream education.

Originally, Congress, as part of the IDEA legislation specified that 40% of total Special Education cost would be funded by the federal government. The law’s mandate is firm, but the funding support is not. To date, Congress has provided no more than 20% of the cost. The

difference must come from the school districts' general funds, designated for regular mainstream education of the student enrollment¹.

In the 2009-2010 school year, approximately 9% of San Mateo County's (County) Special Education funding - \$79.8 million, came from the County's school districts' general funds. Currently, 12% of the County's public school children (10,300 students) are in Special Education. (Appendix A, San Mateo County SELPA, Pupil Count by District of Residence, 4/15/2010).

Special Education general fund spending in the County is currently growing faster than other school expenditures. On a per pupil basis, Special Education spending grew by 11.5% between 2003 and 2010. In contrast, non Special Education spending from the general fund is decreasing. School funding in California is in crisis and in most districts, revenue is declining while student enrollment remains steady or is rising. The California Governor has proposed another \$1.5 billion (or 3.85%) reduction in all school districts' revenue limits for the 2010-2011 fiscal year². Most taxpayers are unaware that while the school districts face major financial challenges, there is no easy method to reduce Special Education costs because federal mandates require that Special Education students be granted full services, no matter the state of school district finances.

This mandate requires that Special Education priorities receive first call on all district funds. All Special Education services remain, and in some cases increase. The result of this mandate supported by State and Federal law is that funding for the remaining student population is reduced. As a result of the decreased funding, general education class sizes are increased, programs reduced or eliminated, and teachers laid-off. Some County districts support their Special Education program with a higher percentage of general education funds than the average district. Belmont-Redwood Shores Elementary contributes 20.46% of their general fund to their Special Education program; Burlingame Elementary, 13.25%; Ravenswood City, 15.51%, San Carlos Elementary, 14.44%. (Appendix B, San Mateo County SELPA, General Fund Contributions to Special Education Services, 3/25/2010)).

Special Education covers a wide spectrum of disabilities. San Mateo County school districts endeavor to provide the very best education possible to their Special Education students. The following are some of the services provided and their costs:

1. Non-Public Agencies (NPA) are vendors who deliver services to school districts such as occupational therapy, Applied Behavioral Analysis (ABA) for autistic students, and speech therapy. These services cost school districts in the County \$11.7 million per year. (Appendix C, San Mateo County SELPA, NPS/NPA Costs, 2009/2010, 04/15/2010)
2. Non-Public Schools (NPS) are private schools certified by the California Department of Education to provide instruction to Special Education students. The tuition for this instruction costs the County's school districts \$13 million per year for 277 students. (Appendix C)

¹ 2001-2002 Marin County Civil Grand Jury, Special Education In Marin, April 26, 2002

² Association of California School Administrators Governmental Relations, 2010-2011 May Budget Revision Analysis, May 17, 2010

3. There are 450 Special Education students in the County school districts with Special Circumstance Instructional Assistance (1:1 aides) at a cost of \$11.6 million per year. (Appendix D, San Mateo County SELPA, Cost of 1:1 Aides, 2009-2010, 04/15/2010)

In the County there are 23 school districts joined together in the Special Education Local Plan Area (SELPA) and governed by a board of seven district superintendents. The SELPA implements the policies and procedures agreed upon by the 23 school districts, distributes federal special education funds, and develops training programs for parents and teachers. Over a number of years the 23 school districts began to act independently from each other in the application of IDEA special education eligibility criteria, thus creating an inconsistency in providing services and confusion among parents of special education students. During the 2009-2010 school year the SELPA hired new leadership and began efforts to engage the school districts in training to better define and clarify policies and procedures to standardize practices that will provide programs which are of an educational benefit for special education students throughout the 23 school districts.

The North County Consortium, established in 2006, is an early example of what could happen when districts coordinate their efforts to eliminate the duplication of services and provide the most efficient methods of Special Education delivery. The Consortium includes the following school districts: Jefferson Elementary, Pacifica, Brisbane Elementary, Bayshore Elementary, South San Francisco Unified School District. San Bruno Park School District joined in 2008. The intent of the districts in the consortium was to collaborate and share programs and classes for students with disabilities. Classes are designated as “North County Collaborative Classes” to which Consortium districts can make placements. There is a governance process that has a standing committee made up of the special education directors from the consortium districts that oversees placements, the delivery of services and the adjudication of disputes. Through collaborative efforts, the Consortium’s services cost the individual districts less, while continuing to provide special education and related services that are a benefit to the students. The districts, through the Consortium, also collaborate on the types of special education programs that each district will operate.

For example, the South San Francisco Unified District Consortium classes are as follows:

- Two Limited Intellectual Functioning elementary classes
- One Severely Mentally Handicapped elementary classes
- Two Autism Spectrum Disorder (ASD) elementary classes
- One ASD middle school class

Pacifica classes are as follows:

- Three pre K ASD classes with center based Applied Behavioral Analysis (ABA)
- Three cross categorical classes for Kindergarten through 3rd grade
- Two middle school Special Day Classes

The other districts also have consortium students in their classes.

The County SELPA is engaged in a number of initiatives designed to improve the consistent application of special education eligibility criteria and the delivery of appropriate programs and services that could eventually reduce school districts general fund support for special education services.

Findings

The 2009-2010 San Mateo County Civil Grand Jury found through its investigation that:

1. The Federal government, as legislated, agreed to cover 40% of the cost of Special Education services. The actual reimbursement to each school district is between 15%-20%. The 20% reimbursement rate was achieved in the 2009-2010 school year when federal stimulus funds earmarked for special education were distributed to school districts.
2. San Mateo County schools have an Average Daily Attendance of approximately 86,000 students of which 12% are in Special Education. The Consortium percentage of special education is slightly lower at 11.5%. For the four North County Consortium elementary school districts (Bayshore, Brisbane, Jefferson, and Pacifica) that have participated in the Consortium since its founding in 2006, the general fund contribution average is 7.7% compared to the average for the non-Consortium elementary school districts at 11.8%. (Appendix B, San Mateo County SELPA, General fund Contributions to Special Education Services, 3/25/2010)
3. Some districts are supplementing a high proportion of their Special Education fund with general funds (Appendix B).
4. The County Office of Education educates the most severely disabled students because these students need teachers with advanced credentials, modified facilities and specialized equipment.
5. The North County Consortium has substantially reduced the number of placements in county operated programs for students with less severe disabilities at a minimum savings of \$14,000 per Special Education student. The districts forming the Consortium banded together and offered their own Special Education programs with reduced personnel and overhead costs.
6. The SELPA provides the following:
 - a. Individual Education Plan (IEP) Training of Trainers Modules. The training is focused on applying the eligibility criteria consistently and writing compliant IEP's that provide educational benefit.
 - b. Ongoing meetings with the San Mateo County Behavioral Health Division of the County Health Department and The Golden Gate Regional Center to foster interagency collaboration. The meetings with the Regional Center have improved the transition from Early Start to preschool so that Regional Center caseworkers are not demanding that Early Start services continue when the child transitions to preschool, which is very costly.
 - c. A redesign of the Alternative Dispute Resolution (ADR) process. Each district will designate three parents who will be trained as resource parents. They will be trained in effective communication skills, collaboration, and the IEP process so that they can help other parents new to the system. The SELPA also offers trained facilitators to mediate at a difficult IEP.

- d. Analysis of the results of the recent Autism Survey to develop trainings for best practices in the delivery of services to students with autism.
- e. Meetings with NPA/ABA providers to discuss accountability issues concerning billing, fading (the reduction of services over time), and professional conduct of in-home ABA providers. The SELPA is looking at hiring ABA providers through the COE or a district so that there is more control over the services.
- f. The completion of guidelines on the use of Special Circumstance Instructional Assistance (SCIA) aides. These guidelines are intended to provide districts with a step-by-step process on how to determine if a student needs an SCIA. There is also a fading of services process to ensure that the SCIA does not prevent the student from becoming independent. Training on the SCIA Guidelines will be conducted in the fall of 2010.
- g. A master contract with Non Public Schools (NPS), and Non Public Agency providers (NPA) that sets uniform rates for all school districts
- h. Guidance in the plan to establish a legal fund from the SELPA Contingency Fund to defend against high profile and precedent setting special education legal cases. A legal costs survey indicated that districts tend to settle in mediation rather than going to a due process fair hearing before an administrative law judge. Judges make rulings that are non-binding and can be appealed to a federal court. Sometimes, it is less expensive for a school district to settle than to take the risk to go to due process. For example, if a school district loses in due process they become liable for the legal expenses incurred by the parent. With the backing of the proposed Legal Costs Pool, a district would have some financial support to go forward with a case that they think might have a precedent setting value for the other districts in the SELPA.

Conclusions

The 2009-2010 San Mateo County Civil Grand Jury concludes that:

1. The North County Consortium provides Special Education and related services that are an educational benefit for the students at reduced costs.
2. Special Education Local Plan Area (SELPA) provides continuity and best practice sharing for all 23 County school districts in the area of Special Education.
3. Federal funding for the Special Education program, which is inadequate now, may decrease in the future. San Mateo County school districts will have to make up the deficits from their general funds that are allocated for all children's education.
4. San Mateo County school districts must find ways to reduce general fund contributions to Special Education programs while maintaining the same standards of education.

Recommendations

The 2009 – 2010 San Mateo County Civil Grand Jury recommends that:

1. The Board of Trustees of the Millbrae Elementary, Hillsborough City Elementary, Burlingame Elementary, San Mateo – Foster City Elementary, Belmont –Redwood Shores Elementary, Las Lomas Elementary, Menlo Park City Elementary, San Carlos Elementary, Redwood City Elementary, Portola Valley Elementary, Woodside Elementary, Ravenswood City, Cabrillo Unified, La Honda-Pescadero Unified School Districts, Jefferson Union, San Mateo Union and Sequoia Union High School Districts join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.
2. The San Mateo County Office of Education provide timely information to the general public through the Special Education Local Plan Area on the number of students in special education by program and service, the total cost of the service and the general fund contribution to special education.
3. The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individual with Disabilities Act (IDEA) to the 40% promised for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education

Furthermore, the Grand Jury commends the Special Education Local Plan Area of the San Mateo County Office of Education for its leadership in improving the quality of special education and fostering the use of consistent eligibility criteria for special education services throughout the County.

Appendices:

Appendix A - San Mateo County SELPA

Pupil Count by District of Residence

4/15/2010

Districts	Special Education Pupil Count Dec 1, 2009	SELPA TOTAL ADA 2008-09 P-2 AB602	Special Ed Pupil Count as a Percentage of SELPA Total ADA
Bayshore	65	420.97	15.44%
Belmont Redwood Shores	429	2,641.84	16.24%
Brisbane	65	570.59	11.39%
Burlingame	266	2,463.28	10.80%
Cabrillo	358	3,214.27	11.14%
Hillsborough City	180	1,428.43	12.60%
Jefferson Elementary	578	6,523.45	8.86%
Jefferson Union High	485	4,785.74	10.13%
La Honda Pescadero	42	354.03	11.86%
Las Lomas	163	1,155.48	14.11%
Menlo Park City	224	2,338.00	9.58%
Millbrae	235	2,081.43	11.29%
Pacifica	299	3,005.48	9.95%
Portola Valley	91	708.55	12.84%
Ravenswood City	450	3,813.91	11.80%
Redwood City	1,141	8,563.22	13.32%
San Bruno Park	315	2,565.71	12.28%
San Carlos	350	2,862.85	12.23%
San Mateo Union High	1,178	8,127.99	14.49%
San Mateo Foster City	991	10,011.18	9.90%
Sequoia Union High	1,055	7,591.04	13.90%
South San Francisco	1,233	9,035.13	13.65%
Woodside	42	438.20	9.58%
Everest Charter	13	108.00	12.04%
Stanford New Schools	31	513.02	6.04%
Summit Preparatory High	18	389.86	4.62%
Total	10,297	85,711.65	Average: 12.07%

San Mateo County Office of Education, SELPA, 04/15/2010

Appendix B – San Mateo County SELPA
General Fund Contributions to Special Education Services

3/25/2010

	A	B	C
Districts	09-10 Total District General Fund Adopted Budget	General Fund Support for Special Education	General Fund Support for SPED as Percentage of Total Adopted Budget (B/A)
BAYSHORE	3,490,241.00	195,706.00	5.61%
BELMONT-REDWOOD SHORES	28,266,461.00	5,782,264.00	20.46%
BRISBANE	7,140,398.00	331,746.00	4.65%
CABRILLO	27,961,381.00	2,309,829.00	8.26%
BURLINGAME	19,693,852.92	2,608,820.00	13.25%
HILLSBOROUGH	20,072,583.00	1,943,055.00	9.68%
JEFFERSON ELEMENTARY	45,916,831.92	4,647,957.36	10.12%
LAS LOMITAS	16,976,434.00	2,329,148.00	13.72%
MENLO PARK	28,729,131.00	2,882,334.00	10.03%
MILLBRAE	16,517,758.00	1,434,928.00	8.69%
PACIFICA	22,760,658.05	2,370,614.63	10.42%
PORTOLA VALLEY	10,996,025.00	205,705.00	1.87%
RAVENSWOOD	37,215,865.00	5,772,699.00	15.51%
REDWOOD CITY	78,433,847.00	6,737,423.00	8.59%
SAN BRUNO PARK	20,353,294.64	2,574,059.00	12.65%
SAN CARLOS	23,258,044.00	3,358,135.00	14.44%
SAN MATEO-FOSTER CITY	87,907,422.55	10,763,227.96	12.24%
WOODSIDE	7,410,346.00	212,355.00	2.87%
JEFFERSON UNION	47,316,044.00	1,941,173.00	4.10%
SAN MATEO UNION	94,254,704.75	7,705,204.82	8.17%
SEQUOIA UNION	100,264,310.00	6,976,317.00	6.96%
LA HONDA-PESCADERO	4,162,783.00	390,164.00	9.37%
SOUTH SAN FRANCISCO	76,315,993.50	6,226,555.00	8.16%
STANFORD NEW SCHOOL	7,414,830.00	107,842.00	1.45%
SUMMIT PREPARATORY	3,524,658.87	0.00	0.00%

Source Data: Column A 2009-10 Adopted Budget; Column B SEMB 09-10 Budget
(Special Ed MOE 2009-10)

Appendix C – San Mateo County SELPA

NPS/NPA Costs

2009/2010

District	# Students in NPS	Cost of NPS	# Students NPA/BIA	Cost of NPA/BIA	# Students NPA / OT / PT	Cost of NPA/OT/ PT	# Students NPA Spch / Lang	Cost of NPA Spch / Lang	TOTAL (B+D+F+H)
Bayshore	0	\$ -	8	\$58,761	8	\$6,720	1	\$3,980	\$69,461
Belmont Redwood Shores	22	\$994,270	22	\$866,043	64	\$198,500	52	\$112,303	\$2,171,116
Brisbane	2	\$86,251	4	\$107,087	13	\$31,350	48	\$117,000	\$341,688
Burlingame	1	\$62,930	14	\$624,481	75	\$237,140	4	\$17,492	\$942,043
Cabrillo	12	\$516,520	7	\$76,398	6	\$23,460	122	\$226,118	\$842,496
Hillsborough City	13	\$559,981	10	\$247,219	22	\$85,876	1	\$3,600	\$896,676
Jefferson Elementary	7	\$261,958	60	\$122,393	42	\$83,884	178	\$405,306	\$873,541
Jefferson Union High	16	\$861,010	0	\$ -	4	\$10,600	89	\$160,000	\$1,031,610
La Honda Pescadero	0	\$ -	1	\$2,000	5	\$10,000	19	\$35,000	\$47,000
Las Lomas	2	\$199,364	8	\$249,717	16	\$55,330	0	\$ -	\$504,411
Menlo Park City	3	\$133,003	5	\$150,293	12	\$28,959	5	\$21,287	\$333,542
Millbrae	14	\$536,861	3	\$48,439	25	\$75,784	142	\$398,584	\$1,059,668
Pacifica	9	\$532,203	0	\$ -	34	\$154,978	150	\$444,071	\$1,131,252
Portola Valley	3	\$93,918	8	\$10,000	22	\$55,000	6	\$2,000	\$160,918
Ravenswood City	11	\$554,244	1	\$16,875	35	\$150,008	45	\$238,827	\$959,954
Redwood City	21	\$1,063,944	18	\$754,676	5	\$39,870	295	\$728,746	\$2,587,236
San Bruno Park	20	\$482,162	3	\$26,792	99	\$188,587	77	\$256,095	\$953,635
San Carlos	10	\$656,111	14	\$253,452	81	\$247,369	75	\$197,315	\$1,354,247
San Mateo Union High	32	\$1,833,000	1	\$104,310	6	\$83,851	1	\$3,000	\$2,024,161
San Mateo Foster City	21	\$632,802	58	\$2,145,000	46	\$45,000	64	\$56,800	\$2,879,602
Sequoia Union High	38	\$1,864,961	0	\$ -	8	\$20,000	0	\$ -	\$1,884,961
South San Francisco	19	\$1,070,226	19	\$483,569	11	\$20,330	1	\$6,264	\$1,580,389
Woodside	0	\$ -	0	\$ -	0	\$ -	0	\$ -	\$ -
Everest Charter	0	\$ -	0	\$ -	0	\$ -	1	\$4,000	\$4,000
Stanford New Schools	0	\$ -	0	\$ -	4	\$15,000	5	\$24,000	\$39,000
Summit Preparatory High	1	\$40,000	0	\$ -	0	\$ -	3	\$15,000	\$55,000
TOTAL		\$13,035,720		\$6,347,504		\$1,867,596		\$3,476,787	\$24,727,607

San Mateo County Office of Education, SELPA, 04/15/2010

Appendix D - San Mateo County SELPA

Cost of 1:1 Aides

2009-2010

Districts	# Students with 1:1 Aides	Average # of Hours	Cost	COE 1:1 Aides	Average # of Hours	Cost	Total Cost
Bayshore	3	7	\$61,220.00				\$61,220.00
Belmont Redwood Shores	27	4	\$474,000.00	3	6.5	\$119,388.36	\$593,388.36
Brisbane	2	5	\$45,853.00				\$45,853.00
Burlingame	17	5.5	\$559,403.00	2	6.5	\$79,592.24	\$638,995.24
Cabrillo	15	6	\$779,860.00	2	6.5	\$79,592.24	\$859,452.24
Hillsborough City	15	4.47	\$338,220.00				\$338,220.00
Jefferson Elementary	1	5		5	6.15	\$188,205.04	\$188,205.04
Jefferson Union High	6	6.5	\$318,612.00	9	6.44	\$355,103.84	\$673,715.84
La Honda Pescadero	3	6.25	\$53,450.00	1	6.5	\$39,796.12	\$93,246.12
Las Lomas	11	5	\$392,400.00				\$392,400.00
Menlo Park City	24	3.83	\$670,000.00				\$670,000.00
Millbrae	15	5.3	\$389,903.00				\$389,903.00
Pacifica	8	4	\$180,424.00	1	6.5	\$39,796.12	\$220,220.12
Portola Valley	12	5.3	\$129,927.00				\$129,927.00
Ravenswood City	40	6	\$35,000.00	1	5	\$30,612.40	\$65,612.40
Redwood City	28	5.68	\$788,611.00	3	6.5	\$119,388.36	\$907,999.36
San Bruno Park	4	3.7	\$46,772.60	2	4.75	\$58,163.56	\$104,936.16
San Carlos	16	4.5	\$323,841.00	3	5.83	\$107,143.40	\$430,984.40
San Mateo Union High	12	6.5	\$457,000.00	14	6.04	\$333,675.16	\$790,675.16
San Mateo Foster City	58	5.6	\$1,391,320.00	7	5.86	\$159,184.48	\$1,550,504.48
Sequoia Union High	21	6	\$614,100.00	7	6.36	\$272,450.36	\$886,550.36
South San Francisco	20	6	\$439,608.00	23	5.91	\$854,085.96	\$1,293,693.96
Woodside	0	0	\$ -				\$ -
Everest Charter	0	0	\$ -				\$ -
Stanford New Schools	2	6	\$57,261.00				\$57,261.00
Summit Preparatory High	1	8	\$25,500.00				\$25,500.00
SMCOE/LCI	6	5.43	\$198,980.60				\$198,980.60
Total			\$8,771,266.20			\$2,836,177.64	\$11,607,443.84

San Mateo County Office of Education, SELPA, 04/15/2010

August 10, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Response to "The Cost of Special Education in San Mateo County School Districts"

Dear Judge Cretan,

Thank you for the opportunity to review and comment on the findings of the Grand Jury. This letter serves as response from the Bayshore School District to the recommendations found therein.

Findings:

We agree with the findings of the Grand Jury regarding Special Education in San Mateo County.

Recommendations by the Grand Jury:

SCHOOL BOND CITIZENS' OVERSIGHT COMMITTEE, PROP 39

The 2009-10 San Mateo Grand Jury recommends that:

1. Item 1 is not directed to the Bayshore School District.
2. **The San Mateo County Office of Education, all School Districts in San Mateo County (through the San Mateo County School Boards' Association), and the San Mateo County Community College District.**
 - a. **Develop and provide mandatory independent training for bond Citizens' Oversight Committee members.**
 - b. **Develop and host a website with easy-to-access training materials and easy-to-understand descriptions of the roles and responsibilities of the local citizens' oversight committee members. The website should include an online training course.**

Bayshore School District does not currently have a Prop 39 bond. However, in the future, if a successful bond campaign is held;

- a. The District will provide all trainings as directed by law.
- b. The District will work with the San Mateo County School Boards' Association to develop training materials easily accessible online.

SPECIAL EDUCATION

The 2009-2010 San Mateo Grand Jury recommends that:

1. **The Board of Trustees of the Millbrae Elementary, Hillsborough City Elementary, Burlingame Elementary, San Mateo - Foster City Elementary, Belmont - Redwood Shores Elementary, Las Lomas Elementary, Menlo Park City Elementary, San Carlos Elementary, Redwood City Elementary, Portola Valley Elementary, Woodside Elementary, Ravenswood City, Cabrillo**

Unified, La Honda-Pescadero Unified School Districts, Jefferson Union, San Mateo Union and Sequoia Union High School Districts join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.

Bayshore School District was a founding member of the North County Consortium. The Bayshore School District has implemented the recommendation to join together with other school districts to provide special education services in an effort to better serve students with special needs in Special Day Classes in their home or neighboring districts. This has also resulted in a more consistent application of special education eligibility criteria and has reduced general education fund revenue support for special education programs. Our intent is to continue to think creatively and to work together to contain costs.

2. The San Mateo County Office of Education provide timely information to the general public through the Special Education Local Plan Area on the number of students in special education by program and service, the total cost of the service and the general fund contribution to Special Education.

This recommendation is directed at the San Mateo County Office of Education and as such, the Bayshore School District has no official response.

3. The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individuals with Disabilities Act (IDEA) to the 40% promised for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education.

Each year the San Mateo County Superintendents' Association meets with our elected officials to explain the effects of the unfunded cost of Special Education services and the need for full federal funding. The Bayshore School District will continue to lobby our elected officials to sponsor legislation to fully fund IDEA to the 40% promised for special education services and that that the state government does not abdicate its responsibility to fund special education.

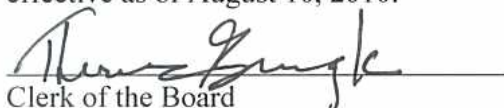
Sincerely,

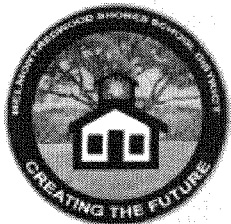

Susan Larramendy
Superintendent

CC: Bayshore Board of Trustees
grandjury@sanmateocourt.org (via email)

Board Approval:

This response was hereby approved by the Board of Trustees of the Bayshore School District and shall be effective as of August 10, 2010.


Clerk of the Board



BOARD OF TRUSTEES

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2525 Buena Vista Avenue, Belmont
650-637-4840

FOX SCHOOL
Chris Marchetti, Principal
3100 St. James Road, Belmont
650-637-4850

NESBIT SCHOOL
Kathy Kelley, Principal
500 Biddulph Way, Belmont
650-637-4860

RALSTON MIDDLE SCHOOL
Jennifer Kollmann, Principal
2675 Ralston Avenue, Belmont
650-637-4880

REDWOOD SHORES SCHOOL
Cherie Ho, Principal
225 Shearwater Parkway
Redwood City, CA 94065
650-802-8060

SANDPIPER SCHOOL
Linda McDaniel, Principal
801 Redwood Shores Parkway
Redwood City, CA 94065
650-631-5510

**Belmont-Redwood Shores
School District**
2960 Hallmark Drive
Belmont, CA 94002-2999
650-637-4800 - Main
650-637-4811 - Fax

<http://www.brssd.org>

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

September 3, 2010

Dear Hon. Clifford V. Cretan:

The Belmont-Redwood Shores School District has reviewed the findings, conclusions and recommendations listed in the Grand Jury report of July 7, 2010. The District agrees with the Grand Jury's Findings and Conclusions. The District response to the Grand Jury's recommendations is detailed below:

Recommendation #1- That the Board of Trustees of the southern districts join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special educations programs, without reducing the quality of services:

Response #1 - The Belmont-Redwood Shores School District will work closely with the San Mateo County SELPA Administrator to explore formation of consortia or other partnerships to develop high quality cost effective special education programs for students with disabilities. Belmont-Redwood Shores has facilitated two meetings to explore a consortium in the southern part of the county. It is pivotal to have the County's involvement in this effort to assist district in identifying program that meet the needs of the different districts.

The District initiated an effort with the support of the County Special Education Department to offer a Principals' Special Education Academy that will inform administrator's of current requirements to ensure consistent application of special education eligibility criteria and exploring cost effective program delivery models. The training modules have been developed and Districts throughout the county will have an opportunity to send staff members to this academy.

The District Director of Special Programs is a member of the SELPA Administrators' Council and County Service Delivery Committee as well as a participant in monthly South County Directors' meetings. During the 2010-2011 school year, the Director will continue to actively participate in Administrators' Council meetings, the South County Directors' monthly meetings and the SELPA Service Delivery Committee to ensure that District needs for cost effective special education programs are articulated and that quality yet cost effective programs are developed throughout the southern portion of San Mateo County.

Recommendation # 2- That the San Mateo County Office of Education provide timely information to the general public on the number of students in special education programs, the total cost of the service and the general fund contribution to special education:

Response# 2 - The District supports having timely information for planning purposes and for budget development. Having County wide information was very most helpful and informative.

At the District level, the Director of Special Programs provides an annual report to the District Board of Trustees on the following data: (1) the number of students receiving special education services; (2) the total cost of the special education services; (3) the district local general fund contribution to special education; and (4) the goals of the special education department.

Recommendation # 3- That the San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individuals with Disabilities Act to the 40% promised for Special Education programs that demand that the state does not abdicate its responsibility to fund special education:

Response #3 - Our District Board members, staff and parents have actively engaged with legislators regarding funding for our Special Education students. These efforts will continue and the District will support any efforts coordinated on a countywide basis.

During the 2010-2011 school year, the Director of Special Programs will work closely with the San Mateo County SELPA Administrator to disseminate information from the Coalition for Adequate Funding for Special Education (CAFSE) and its efforts to fully fund the Individuals with Disabilities Education Act (IDEA). The Director will share this information with the Special Education and General Education parent organizations via PTA meetings and parent newsletters and will encourage them to appeal to state legislators to ensure that the State does not abdicate its responsibility to fund special education.

The response to the Grand Jury was approved by the Belmont-Redwood Shores School District Board of Trustees on September 2, 2010.

Sincerely,


Dr. Emerita Orta-Camilleri, Superintendent

Cc: Board of Education

Building Thoughtful Citizens

July 13, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Response to "The Cost of Special Education in San Mateo County School Districts"

Dear Judge Cretan,

Thank you for the opportunity to review and comment on the findings of the Grand Jury. This letter serves as response from the Brisbane School District to the recommendations found therein.

Findings:

We agree with the findings of the Grand Jury regarding Special Education in San Mateo County.

Recommendations by the Grand Jury:

The 2009-2010 San Mateo Grand Jury recommends that:

- 1. The Board of Trustees of the Millbrae Elementary, Hillsborough City Elementary, Burlingame Elementary, San Mateo - Foster City Elementary, Belmont - Redwood Shores Elementary, Las Lomas Elementary, Menlo Park City Elementary, San Carlos Elementary, Redwood City Elementary, Portola Valley Elementary, Woodside Elementary, Ravenswood City, Cabrillo Unified, La Honda-Pescadero Unified School Districts, Jefferson Union, San Mateo Union and Sequoia Union High School Districts join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.**

As a founding member of the North County Consortium, the Brisbane School District has implemented the recommendation to join together with other school districts to provide special education services such as access to Special Day Classes. This has resulted in a more consistent application of special education eligibility criteria and has reduced general education fund revenue support for special education programs. Our intent is to continue to think creatively and to work together to contain costs.

2. The San Mateo County Office of Education provide timely information to the general public through the Special Education Local Plan Area on the number of students in special education by program and service, the total cost of the service and the general fund contribution to Special Education.

This recommendation is directed at the San Mateo County Office of Education and as such, the Brisbane School District has no official response.

3. The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individuals with Disabilities Act (IDEA) to the 40% promised for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education.

The Board of the Brisbane School District adopted Resolution 2009-2010, NO. XII - In Support of Adequate, Equitable, and Stable Special Education Funding on April 21, 2010 and will continue to lobby our elected officials to sponsor legislation to fully fund IDEA to the 40% promised for special education services and that that the state government does not abdicate its responsibility to fund special education.

Sincerely,



Toni Presta
Superintendent

CC: Brisbane Board of Trustees
grandjury@sanmateocourt.org (via email)

Board Approval:

This response was hereby approved by the Board of Trustees of the Brisbane School District and shall be effective as of 22 (month) sep (date), 2010 (year).



Clerk of the Board, Diane Van Stralen



**BURLINGAME
SCHOOL DISTRICT**

Board of Trustees

Michael Barber
Davina Drabkin
Liz Gindraux
Mark G. Intrieri
Gregory Land

District Administration

Dianne Talarico
Superintendent

Robert Clark, Ed.D.
*Assistant Superintendent,
Chief Business Official*

Judson Kempson
*Assistant Superintendent,
Educational Services*

September 30, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, California 94063-1655

Dear Judge Cretan:

In response to the Grand Jury Report on the Cost of Special Education in San Mateo County School Districts dated July 7, 2010 requesting information, please find the District's answers below.

Findings:

1. The respondent agrees with the finding.
2. The respondent agrees with the finding.
3. The respondent agrees with the finding.
4. The respondent agrees with the finding.
5. The respondent disagrees partially with the finding. Offering Special Education programs in collaboration with other districts may reduce personnel and overhead costs. The placement of Special Education students, however, is a decision of the IEP team and the population of students with special needs varies from district to district and from year to year. There may be instances for a particular district when it is more cost effective to utilize county programs or provide the service itself rather than in collaboration with other districts.
6. (a. through h.) The respondent agrees with the findings.

Recommendations:

1. The Board of Trustees... join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.

Response: The recommendation requires further analysis. During the 2009-2010 school year, the Burlingame School District began working with the Millbrae School District around areas where Special Education resources could be shared or

developed. Specifically, we are exploring the development of a pre-school program to be shared by the two districts. We are also looking at how we might share positions (e.g., psychologists, occupational therapists, speech/language pathologists) in the future. The Burlingame School District intends to continue this partnership with the Millbrae School District during the 2010-2011 school year to develop high-quality, cost-effective Special Education programs. Additionally, the District will work with other districts in the SELPA to explore a consortium of services. At the end of this year, we will analyze the cost effectiveness of collaboration with other districts.

2. The San Mateo County Office of Education provides timely information to the general public through the Special Education Local Plan Area on the number of students in special education by program and service, the total cost of the service and the general fund contribution to special education.

Response: The recommendation has been implemented. The Burlingame School District will continue to work with the San Mateo County SELPA to collect data to be made available to the general public annually: (1) the number of students receiving special education services; (2) the total cost of the special education services; and (3) the district local general fund contribution to special education.

3. The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individual with Disabilities Act (IDEA) to the 40% promised for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education.

Response: The recommendation has been implemented. The Burlingame School District will continue to collaborate with the San Mateo County SELPA as well as the Coalition for Adequate Funding for Special Education (CAFSE) to ensure stable, adequate and equitable funding for special education. The CAFSE lobbies Congress to fully fund the Individuals with Disabilities with Education Act (IDEA) to the 40% promised and lobbies state legislators to ensure that the State does not abdicate its responsibility to fund special education.

The response above, along with a copy of the Grand Jury report, were presented to the Board of Trustee at the September 28, 2010 Board meeting for their review and approval.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Dianne Talarico". The signature is written in black ink and is positioned above the printed name.

Dianne Talarico
Superintendent



CABRILLO UNIFIED SCHOOL DISTRICT

498 Kelly Ave, Half Moon Bay, CA 94019 • 650 712-7100 • Fax 650 726-0279 • www.cabrillo.k12.ca.us

SUPERINTENDENT
Robert Gaskill

GOVERNING BOARD
John Moseley
Kirk Riemer
Jolanda Schreurs
Dwight Wilson
Charles Gardner

August 13, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd floor
Redwood City, CA 94063-1655

Re: The Cost of Special Education in San Mateo County School Districts

Following are responses from Cabrillo Unified School District regarding the findings, conclusions, and recommendations from this Grand Jury Report, dated July 7, 2010:

Findings

The 2009-2010 San Mateo County Civil Grand Jury found that:

1. The Federal Government, as legislated, agreed to cover 40% of the cost of Special Education Services. The actual reimbursement to each school district is between 15%-20%. The 20% reimbursement rate was achieved in the 2009-2010 school year when federal stimulus funds earmarked for special education were distributed to school districts.

District Response: We concur with the finding of the Grand Jury. It is important to note that the federal stimulus dollars received in 2009-2010 were one-time in nature and that these dollars only partially offset the heavy encroachment on the General Fund of Cabrillo Unified School District that now exceeds \$2.5 million per year.

2. San Mateo Schools have an Average Daily Attendance of approximately 86,000 students of which 12% are in Special Education. The Consortium percentage of special education students is slightly lower at 11.5 %. For the four North County Consortium elementary school districts..., the general fund contribution average is 7.7% compared to the average for the non-Consortium elementary school districts at 11.8%.

District Response: We do not have the first-hand knowledge to either concur with, or dispute, this finding. Our percentage of students receiving special education services is typically 11% and our General Fund contribution is closer to 8% as noted in Appendix B.

3. Some districts are supplementing a high proportion of their Special Education fund with general funds.

District Response: We concur with this finding.

4. The County Office of Education educates the most severely disabled students because these students need teachers with advanced degrees, modified facilities and specialized equipment.

District Response: We concur with this finding.

5. The North County Consortium has substantially reduced the number of placements in county operated programs for students with less severe disabilities at a minimum savings of \$14,000 per Special Education student. The districts forming the Consortium banded together and offered their own Special Education programs with reduced personnel and overhead costs.

District Response: We do not have the first-hand knowledge to either concur with, or dispute, this finding. While our more isolated location has made it more problematic to participate in consortiums, we have derived cost savings by providing a growing number of programs and services "in house."

6. The SELPA provides the following:

- a. Individual Education Plan (IEP) Training of Trainers Modules...
- b. Ongoing meetings with the San Mateo County Behavioral Health Division of the County Health Department and The Golden Gate Regional Center to foster interagency cooperation...
- c. A redesign of the Alternative Dispute Resolution (ADR) process...
- d. Analysis of the results of the recent Autism Survey...
- e. Meetings with NPA/ABA providers...
- f. The completion of guidelines on the use of Special Circumstance Instructional Assistance (SCIA) aides...
- g. A master contract with Non Public School (NPS) and Non Public Agency (NPA) providers...
- h. Guidance in the plan to establish a legal fund from the SELPA Contingency Fund to defend against high profile and precedent setting special education legal cases...

District Response: We concur with this finding and greatly appreciate the leadership role that the SELPA has assumed in the issues delineated above.

Conclusions

The 2009-2010 San Mateo County Civil Grand Jury concluded that:

1. The North Coast Consortium provides Special Education and related services that are of an educational benefit for the students at reduced costs.

District Response: We do not have the first-hand knowledge to either concur with, or dispute, this conclusion.

2. Special Education Local Plan Area (SELPA) provides continuity and best practice sharing for all 23 County school districts in the area of Special Education.

District Response: We concur with this conclusion.

3. Federal funding for the Special Education program, which is inadequate now, may decrease in the future. San Mateo County school districts will have to make up the deficits from their general funds that are allocated for all children's education.

District Response: We concur strongly with this conclusion.

4. San Mateo County school districts must find ways to reduce general fund contributions to Special Education programs while maintaining the same standard of education.

District Response: We concur strongly with this conclusion.

Recommendations

The 2009-2010 San Mateo County Civil Grand Jury recommended that:

1. The Board of Trustees of the Millbrae Elementary, Hillsborough City Elementary, Burlingame Elementary, San Mateo-Foster City Elementary, Belmont-Redwood Shores Elementary, Las Lomas Elementary, Menlo Park City Elementary, Woodside Elementary, Ravenswood City, Cabrillo Unified, La Honda-Pescadero Unified School District, Jefferson Union, San Mateo Union, and Sequoia Union High School Districts join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.

District Response: We concur with this recommendation and we will actively participate in discussions and planning sessions facilitated by the San Mateo County SELPA to explore the future formation of consortia or other types of partnerships to develop high quality and cost-effective programs for students with disabilities.

2. The San Mateo County SELPA will annually collect data and make available to the general public: 1) the number of students receiving special education services; 2) the total cost of the special education services; and 3) the district local general fund contribution to special education.

District Response: While this recommendation is not directly applicable to Cabrillo Unified School District, we greatly appreciate this Grand Jury Report that focuses new light on an issue that is exacting heavy costs on local districts. Cabrillo Unified is committed to reviewing and analyzing this data on an annual basis.

3. The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individuals

with Disabilities Act (IDEA) to the 40% promised for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education.

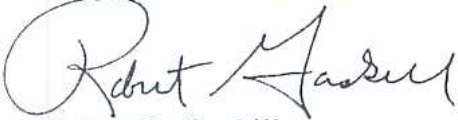
Furthermore, the Grand Jury commends the Special Education Local Plan Area of the San Mateo County Office of Education for its leadership in improving the quality of special education and fostering the use of consistent eligibility criteria for special education services throughout the County.

District Response: Cabrillo Unified School will continue to work with other SELPA districts in lobbying for full IDEA funding through our association with the Coalition for Adequate Funding for Special Education (CAFSE). In addition, the District will continue to adopt resolutions and/or author letters to be forwarded to appropriate Congressional representatives and/or members of the State Legislature advocating for adequate funding for Special Education programs and services.

We join in commending the Special Education Local Plan Area of the San Mateo County Office of Education for its positive leadership. Our District Superintendent currently serves on the SELPA Governing Board, indicative of our support and confidence in this very important organization.

This response was approved by the Cabrillo Unified School District Board of Education in open session during the regularly scheduled meeting held on August 12, 2010.

Respondent for the Cabrillo Unified School District:



Robert B. Gaskill
District Superintendent

300 El Cerrito Avenue • Hillsborough, CA 94010

August 4, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

BOARD OF EDUCATION
MARY ELLEN BENNINGER
GREGORY J. DANNIS
LYNNE ESSELSTEIN
MARY HUSER
STEVEN KOURY

SUPERINTENDENT
ANTHONY H. RANII

RE: The Cost of Special Education in San Mateo County School Districts

Dear Judge Cretan,

The Hillsborough City School District Board of Trustees at their regular meeting on August 18, 2010 approved the following response to findings of the Grand Jury's report regarding the cost of Special Education in San Mateo County School Districts.

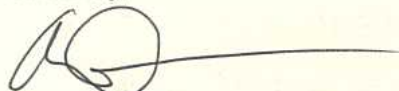
Response to Findings:

- 1) With information that has been provided to the district, HCSD agrees with the finding.
- 2) With information that has been provided to the district, HCSD agrees with the finding.
- 3) With information that has been provided to the district, HCSD agrees with the finding.
- 4) With information that has been provided to the district, HCSD agrees with the finding.
- 5) With information that has been provided to the district, HCSD agrees with the finding.
- 6) For all listed findings "a" through "h", with information that has been provided to the district, HCSD agrees with the findings.

Response to Grand Jury Recommendations:

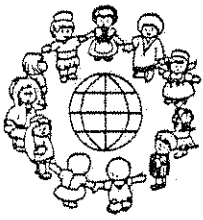
- 1) Hillsborough City School District will participate in discussions and planning facilitated by the San Mateo County SELPA to explore formation of consortia or other partnerships to develop high quality cost effective special education programs for students with disabilities.
- 2) Hillsborough City School District will annually provide data to the San Mateo County SELPA regarding: 1) the number of students receiving special education services; 2) the total cost of the special education services; and 3) the district's local general fund contribution to special education.
- 3) Hillsborough City School District will support the ongoing work of the San Mateo County SELPA for the Coalition for Adequate Funding for Special Education (CAFSE) to ensure stable, adequate and equitable funding for special education. The CAFSE lobbies Congress to fully fund the Individuals with Disabilities Education Act (IDEA) to the 40% promised and lobbies state legislators to ensure that the State does not abdicate its responsibility to fund special education.

Sincerely,



Anthony Ranii
Superintendent

AR:td



Jefferson School District

*Martin Luther King Jr. Education Center
101 Lincoln Ave. • Daly City, CA 94015
(650) 991-1000 • Fax (650) 997-0273
Web Address: www.jsd.k12.ca.us*

*Governing Board
Marie Brizuela
Rebecca Douglass, Ph.D.
Adam Duran
Hans E. Hansen
LaSchaunda Smaw*

*Superintendent
Matteo Rizzo*

September 23, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Dear Sir:

The Jefferson Elementary School District is pleased to respond to the Grand Jury's Report on The Cost of Special Education in San Mateo County School Districts, July 7, 2010.

Here are our District's responses to the recommendations contained in the report, approved by the Governing Board of the Jefferson Elementary School District at its Regular Meeting of September 22, 2010:

Recommendation 1

To insure effective instruction for our special education students with disabilities, the Jefferson Elementary School District partnered with neighboring school districts to form the North County Consortium.

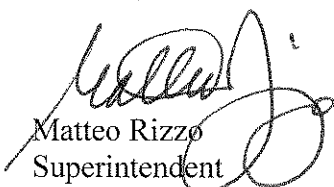
Recommendation 2

This recommendation is directed to the San Mateo County Office of Education.

Recommendation 3

The Jefferson Elementary School District will continue to work with local, state and federal legislators to advocate for full funding for the Individuals with Disabilities Act (IDEA).

Sincerely,


Matteo Rizzo
Superintendent

Jefferson Union High School District

ADMINISTRATIVE OFFICES – SERRAMONTE DEL REY
699 Serramonte Boulevard, Suite 100
Daly City, CA 94015-4132
650-550-7900 • FAX 650-550-7888

Board of Trustees

Katherine Zarate Dulany
Maria S. Luna
Jeanne L. Matysiak
Thomas A. Nuris

Michael J. Crilly
Superintendent

August 4, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Cretan:

The Jefferson Union High School District appreciates the very revealing work done by the Grand Jury in relation to Special Education costs and impacts on the General Fund budget of each school district.

The Jefferson Union High School District agrees with the findings of the Grand Jury in regard to Special Education costs.

In addition, the District agrees with the following recommendations:

Recommendation #1 – The Board of Trustees of Millbrae Elementary, Hillsborough City Elementary, Burlingame Elementary, San Mateo-Foster City Elementary, Belmont-Redwood Shores Elementary, Las Lomas Elementary, Menlo Park City Elementary, San Carlos Elementary, Redwood City Elementary, Portola Valley Elementary, Woodside Elementary, Ravenswood City, Cabrillo Unified, La Honda-Pescadero Unified School Districts, Jefferson Union, San Mateo Union and Sequoia Union High School Districts join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.

The Jefferson Union High School District will continue to explore ways in which to collaborate with other districts to serve Special Needs students. It should be noted, however, that it is more difficult for a high school district to collaborate with the elementary consortia because they do not serve high school age students.

The Honorable Clifford V. Cretan
August 4, 2010
Page 2

Recommendation #2 – The San Mateo County Office of Education provide timely information to the general public through the Special Education Local Plan Area on the number of students in special education by program and service, the total costs of the service and the general fund contribution to special education.

The San Mateo County Office of Education Special Education Local Plan Area will respond to this recommendation.

Recommendation #3 – The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individual with Disabilities Act (IDEA) to the 40% promised for Special Education programs and services and demand that the State does not abdicate its responsibility to fund special education.

The Jefferson Union High School District will continue to work with various groups (California School Boards Association, etc.) who are able to advocate on behalf of school districts so that the Federal Government is compelled to provide the funding as originally promised under IDEA. The District will continue to lobby state representatives about the State's responsibility to fund education and special education adequately.

The Jefferson Union High School District Board of Trustees reviewed these responses during their regular meeting of August 3, 2010.

Sincerely,

Michael J. Crilly

Michael J. Crilly
Superintendent



LA HONDA-PESCADERO UNIFIED SCHOOL DISTRICT
PO Box 189 • 360 Butano Cut Off, Pescadero, CA 94060
650-879-0286 • FAX 650-879-0816

Amy Wooliever, Superintendent

October 1, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Grand Jury Report on the Cost of Special Education in San Mateo County School Districts

Dear Judge Cretan,

Thank you for the opportunity to review and comment on the findings of the Grand Jury report regarding the cost of Special Education in San Mateo County. Following are the responses from the district regarding the findings, conclusions and recommendations from this Grand Jury Report:

Findings/Conclusions:

With the information provided by the Grand Jury report, the district agrees with the findings and conclusions as presented.

Recommendations and District Responses

Recommendation #1:

The Board of Trustees of the Millbrae Elementary, Hillsborough City Elementary, Burlingame Elementary, San Mateo – Foster City Elementary, Belmont –Redwood Shores Elementary, Las Lomas Elementary, Menlo Park City Elementary, San Carlos Elementary, Redwood City Elementary, Portola Valley Elementary, Woodside Elementary, Ravenswood City, Cabrillo Unified, La Honda-Pescadero Unified School Districts, Jefferson Union, San Mateo Union and Sequoia Union High School Districts join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.

Response: We concur with this recommendation and will actively pursue opportunities throughout the 2010-2011 school year to collaborate with county school districts to leverage

Board of Trustees
Andy Wilson, Heather McAvoy, Kathy Crane, Andy LaGow, Connie Sarabia

policies and procedures to provide a consistent application of special education criteria and work to develop cost effective, high quality programs for our students with special needs.

Recommendation #2: The San Mateo County Office of Education provide timely information to the general public through the Special Education Local Plan Area on the number of students in special education by program and service, the total cost of the service and the general fund contribution to special education.

Response: While this recommendation is directed at the San Mateo County Office of Education, we concur with this recommendation to promote the most current and available information for districts to utilize for program planning and service delivery. LHPUSD is committed to reviewing the data annually.

Recommendation #3:

The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individual with Disabilities Act (IDEA) to the 40% promised for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education.

Response:

The La Honda-Pescadero Unified School District will explore and pursue partnerships and opportunities throughout the 2010-2011 school year, both within and outside the SELPA, to advocate on behalf of small school districts and lobby local members of Congress to sponsor legislation to fully fund IDEA.

This response was reviewed by the La Honda-Pescadero Unified School District Board of Trustees during the October 14, 2010 Board meeting.

Sincerely,

Amy Wooliever
Superintendent

Board of Trustees
Andy Wilson, Heather McAvoy, Kathy Crane, Andy LaGow, Connie Sarabia



Las Lomas School District
1011 Altschul Avenue
Menlo Park, CA 94025
Phone (650) 854-6311 fax (650) 854-0882

August 10, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Response to the San Mateo Civil Grand Jury Report Regarding the Cost of Special Education

Dear Judge Cretan:

This letter is being written to respond to the Grand Jury report filed on July 7, 2010, relating to the cost of special education in San Mateo County School Districts. The letter contains comments and the official response from the Las Lomas School District regarding the findings and recommendations contained in the Grand Jury report. This response was approved by the Governing Board of the Las Lomas Elementary School District at the meeting of the Board on August 18, 2010. The Board is grateful for the work of Grand Jury and for the valuable information included in the report.

Findings and Conclusions

The Las Lomas Elementary School District agrees with the findings and conclusions contained in the report. Under Findings, Item 6.c., the District would like to note that it believes the role of parents in the SELPA is critical, and parents must be empowered and have access to the resources that will allow them to be fully knowledgeable about the SELPA and the special education process, including the responsibilities, obligations and limits of school districts to provide a Free and Appropriate Education (FAPE) to its students. In addition, under Item 6.e., the District is pleased with efforts the SELPA has made to hold NPA/ABA providers more accountable and increase their responsiveness and professionalism when interacting with school districts and IEP teams.

Recommendations

The Las Lomas Elementary School District also agrees with the recommendations outlined in the report.

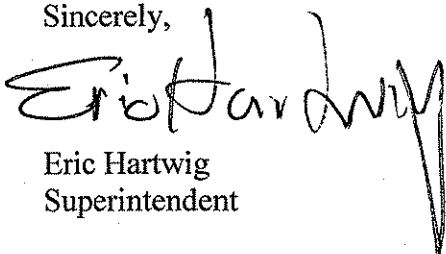
With regard to Recommendation #1 - the District will investigate the formation of a consortium that will collaborate to develop more consistent special education policies, procedures, and eligibility standards. Please note that the District is currently a member of the South County Director's Council. The Council is comprised of Special Education Directors from the following South County school districts: Las Lomas, Redwood City, San Carlos, Woodside, Menlo Park, Portola Valley and Belmont-Redwood Shores. The group meets approximately one time per month and collaborates regarding the creation and maintenance of consistent, high quality, and cost effective special education programs.

With regard to Recommendation #2 - The San Mateo County Office of Education and The San Mateo County SELPA will respond to this recommendation.

With regard to Recommendation #3 - The Las Lomas School District will continue to work with a variety of organizations (Coalition for Adequate Funding for Special Education - CAFSE, California School Boards Association - CSBA, etc.) to advocate for full funding of the Individuals with Disabilities Act (IDEA) at 40% as promised by the Federal Government. The District will lobby state representatives to in an effort to ensure adequate funding from Sacramento.

Thank you once again for an insightful report. Please contact me should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Eric Hartwig". The signature is written in a cursive style with a long, vertical tail on the letter "g".

Eric Hartwig
Superintendent



Millbrae School District

555 Richmond Drive ♦ Millbrae, CA 94030
650-697-5693 ♦ 650-697-6865 (fax)

October 08, 2010

William Blodgett, Foreperson, Grand Jury-County of San Mateo
Hall of Justice
400 County Center
Redwood City, CA 94063-1655

Regarding: Responses to the 2009-2010 Grand Jury Report

Dear Mr. Blodgett,

On September 27, 2010 the Governing Board of the Millbrae School District approved the following responses to the findings and recommendations of the 2009-2010 Grand Jury report titled: *The Cost of Special Education in San Mateo County School Districts* filed on July 07, 2010.

FINDINGS

Finding 1

The respondent agrees with the finding. The actual reimbursement to each school district is substantially lower than the Federal government's agreement of 40% funding to cover the cost of Special Education services.

Finding 2

The respondent agrees with the finding of the general fund contributions in the North County Consortium district and the non-Consortium districts.

Finding 3

The respondent agrees with the finding that districts are supplementing a high proportion of their Special Education funding with the districts' general funds.

Finding 4

The respondent agrees with the finding that the SMCOE educates the most severely disabled students needing instruction from those with advanced credentials, modified facilities and specialized equipment.

Finding 5

The respondent does not belong to the North County Consortium.

Finding 6

The respondent agrees with the finding that the SELPA provides all services listed.



Millbrae School District

555 Richmond Drive ♦ Millbrae, CA 94030

650-697-5693 ♦ 650-697-6865 (fax)

RECOMMENDATIONS

1. The Board of Trustees for Millbrae School District will engage in discussion and planning with the San Mateo County SELPA to explore participation in a consortium or other partnerships to develop high quality cost effective special education programs for students with disabilities.
2. The Millbrae School District will continue to provide the SELPA with data reflecting the District's number of students receiving special education services, total costs to special education program and services, and the District's general fund contribution to special education.
3. The Board of Trustees for Millbrae School District will write a letter to local members of Congress to sponsor legislation to fully fund the IDEA to the 40% promised for Special Education programs and services and demand that the state not abdicate its responsibility to fund special education.

Respectfully Submitted,

Trustee Frank Barbaro, President
Millbrae School District

Linda C. Luna, Superintendent
Millbrae School District



Pacifica School District

375 Reina del Mar Avenue. • Pacifica, California 94044

Tel: (650) 738-6600 • Fax: (650) 557-9672

Academic Excellence ★ Standards for Success

www.pacificasd.org

Board of Trustees

Karen Ervin
Cynthia Kaufman
Eileen Manning-Villar
Michael O'Neill
Joan Weideman

District Administration

Wendy S. Tukloff, Ed.D.
Superintendent
Davide Celoria, Ed.D.
Associate Superintendent
Josephine Peterson
Chief Business Official

September 13, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Response to San Mateo County Civil Grand Jury Report July 7, 2010
The Cost of Special Education in San Mateo County School Districts

Dear Judge Cretan:

Pacifica School District

Approved: August 25, 2010, Public Board of Education meeting

I. Pacifica School District agrees with the findings of the 2009-10 Grand Jury.

II. Response to recommendations:

A. Recommendation #1

The North County Consortium, which Pacifica School District is an active participant, will continue for the 2010-11 academic year and will meet to ensure quality of services for special education programs while reducing/limiting impact in general fund support.

B. Recommendation # 2

The San Mateo County SELPA will annually collect data and make available to the general public: (1) the number of students receiving special education services; (2) the total cost of the special education services; and (3) the district local general fund contribution to special education.

C. Recommendation # 3

Pacifica School District and the San Mateo County SELPA Administrator will continue to work with the Coalition for Adequate Funding for Special Education (CAFSE) to ensure stable, adequate and equitable funding for special education. The CAFSE lobbies Congress to fully fund the Individuals with Disabilities with Education Act (IDEA) to the 40% promised and lobbies state legislators to ensure that the State does not abdicate its responsibility to fund special education.

Sincerely,

Wendy S. Tukloff, Ed.D.
Superintendent

WST:sr

Cc: Pacifica School District, Board of Trustees



District Office
181 Encinal Avenue
Atherton, California 94027
650-321-7140
FAX: 650-321-7184
www.mpcsd.org

Board of Education
Mark Box
Jeff Child
Deborah Fitz
Maria Hilton
Laura Rich

*A Community of educators, scholars, parents and staff working together
to inspire, serve, challenge and enrich all students*

Kenneth Ranella,
Superintendent

August 18, 2010

Jo Sauer Mitchell,
Asst.Supt/Curriculum &
Instruction

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Diane White,
Chief Business Official

RE: San Mateo Grand Jury Report Regarding the Cost of Special Education

Olivia Mandilk,
Dir. Of Student Services

Dear Judge Cretan:

Jim Bowlby
Dir. Of Technology

This response to the Grand Jury report, *The Cost of Special Education in San Mateo County School Districts*, was approved by the Governing Board of the Menlo Park City School District at its regular meeting on August 17, 2010.

Kathryn Christopherson,
Human Resources

Responses to the Grand Jury Recommendations:

Ahmad Sheikholeslami
Director, Facility
Planning and
Construction

Recommendation #1

The Board of Trustees of the Menlo Park City School District (and others), join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.

Dennis Hatfield
Supervisor Maintenance,
Transportation,
Operations

The Menlo Park City School District has taken assertive action within the last several years to expand special education services to its resident students by developing and implementing programs that had previously been provided by both non-public schools, non-public agencies and the San Mateo County Office of Education. The primary purposes for this action are the following:

- Ensure that the District provides education for students with disabilities in the *least restrictive environment* compliant with the Individuals with Disabilities Education Act (“IDEA”).
- Ensure that the quality of services provided by the District for students with disabilities is reflective of the high-quality education program provided to all District students.
- Ensure that the operation of the programs is as cost-effective as possible.

Most of the District special education classes, including its special education preschool special classes, and the elementary learning centers had previously been operated by the San Mateo COE and non-public schools, and the classes were located a distance from the District. The District has particularly focused on an inclusive service delivery model for students with disabilities. It is a priority of the District to serve students in their neighborhood schools and in general education settings.

Additionally, the District has hired inclusion specialists and occupational therapists as District employees to avoid the need to use costly COE or non-public agency services. These actions have allowed the District to appropriately serve students in the *least restrictive environment* under the direct supervision of the District.

Consider the financial result of these actions in comparison to the districts of the North County Consortium using the appendices attached to the Grand Jury Report:

- The percentage of special education students in Menlo Park is 9.58%, while the average percentage in consortium districts is 11.93%. Out of 23 school districts in San Mateo County, Menlo Park is ranked 22; having the second lowest percent of students served in special education. We believe that this is due, in part, to effective evaluation practices related to determining eligibility for special education services.
- The percentage of general fund support for special education services in Menlo Park is 10.3%, while the average percentage of support among consortium districts ranges from 4.96% (a very small district) to 12.65%.
- Out of a total 224 students who receive special education services in Menlo Park, only 25 Menlo Park students receive services from an NPA or NPS, a total of 10%. In consortium districts the average is 40% (exacerbated by consortium districts that contract for speech and language services). Out of 23 school districts in San Mateo County, Menlo Park is ranked 19th in costs for NPA and NPS services. The 4 districts with lower costs serve less than half the number of students that are served by Menlo Park.

The Menlo Park city School District is particularly proud of the educational progress of students with disabilities. Using STAR (State testing) as a metric, the level of achievement of students with disabilities has improved greatly. In 2004, 40.4% of students with disabilities were proficient or advanced in English/Language Arts and 38.1% were proficient or advanced in mathematics. Five years later since the reorganization of services, test scores show that 63.6% of Menlo Park students with disabilities are proficient or advanced in English/Language Arts and 66.5% are proficient or advanced in mathematics. This level of achievement can be compared to the districts of the North County Consortium, where district scores ranged from 13% to 50.1% proficient or advanced in English/Language Arts and 25.9% to 52.7% in mathematics.

The Menlo Park City School District and the 7 other districts (Belmont-Redwood Shores, Las Lomas, Portola Valley, Redwood City, Ravenswood, San Carlos and Woodside) in South San Mateo County that feed into the Sequoia Union High School District have held collaborative meetings since 2006. Monthly meetings among the Special Education Directors are conducted to share ideas about best practices in special education, to discuss ways to appropriately serve students, and to share ideas about how to operate effective, cost effective programs. Furthermore, through the IEP process, the Directors make arrangements to place students in neighboring districts when the resident district does not have an appropriate placement for a student. The South County Directors have discussed the option of forming a formal consortium, and agreed that a consortium is not necessary at this time, as the relationships between the South County districts are collaborative and the Directors are working effectively to appropriately meet the needs of students without the need for a formal consortium.

Given the experience of the Menlo Park City School District, the District can agree only partially with recommendation #1. Furthermore, decisions to serve students outside of their resident schools affect a primary mandate of IDEA, *least restrictive environment*.

The Menlo Park City School District, as a member of the SELPA, fully supports the formation of additional consortia if or when the circumstances of such formations can provide high quality services to students with reasonable costs.

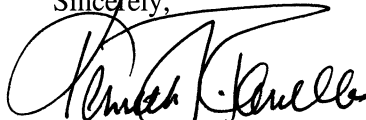
Recommendation #2

As a member of the San Mateo SELPA, the Menlo Park City School District will assist the County Office in providing timely information to the general public about the programs and costs of special education. The recommendation is supported.

Recommendation #3

As a member of the San Mateo SELPA, the Menlo Park City School District will actively engage in lobbying local members of Congress to sponsor legislation to fully fund the special education mandate. The recommendation is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth J. Ranella". The signature is fluid and cursive, with a large, sweeping initial "K".

Kenneth J. Ranella
Superintendent

c: Board of Education

Portola Valley School District

4575 Alpine Road, Portola Valley, CA 94028 • Telephone: (650) 851-1777

Ormondale School (K-3) • Corte Madera School (4-8)

Board of Trustees: Steven Humphreys, Judith Ann Mendelsohn, Scott Parker, Ray Villareal and William Youstra

September 1, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Response to Grand Jury Report: The Cost of Special Education in San Mateo County School Districts

Dear Judge Cretan:

The Portola Valley School District (PVSD) has reviewed the above-referenced 2009-10 Grand Jury Report and would like to respond to the findings:

Recommendation #1: PVSD has a long history of partnering with neighboring school districts in order to maximize resources with the goal of reducing general fund support for special education programs without reducing the quality of services or in fact, improving such services. The District continues to support such efforts.

Recommendation #2: PVSD agrees with this finding.

Recommendation #3: PVSD agrees with this funding and has historically advocated for full funding of the Individuals with Disabilities Act (IDEA).

At their August 18, 2010 meeting, the Governing Board of the Portola Valley School District approved this response to the Grand Jury Report on Special Education Costs in San Mateo County School Districts. This action will be reflected in the official minutes for this meeting. We have appreciated the opportunity to respond to the Grand Jury's recommendations.

Sincerely,



Tim Hanretty
Superintendent

C. Biennial review of Conflict of Interest Policy

The Board reviewed the current Portola Valley School District Conflict of Interest Code, a requirement of every public school district, every two years.

No changes were made, and evidence of the evening's review will be sent to the County of San Mateo Board of Supervisors.

D. Response to Grand Jury Recommendations

Superintendent Campbell and Assistant Superintendent Hanretty recommended that the Board approve the District's responses to the San Mateo County Grand Jury Reports.

During the past year, the Grand Jury reviewed the following two areas:

1. The Cost of Special Education in San Mateo County School Districts
2. School Bond Citizen's Oversight Committees, Proposition 39

Mr. Youstra asked why the General Fund Support for SPED as Percentage of Total Adopted Budget appears very low for Portola Valley (p.123): 1.87%.

Mr. Hanretty explained that this number is incorrect, a clerical error which the District is working to rectify. The correct, more accurate percentage would be 8.7%.

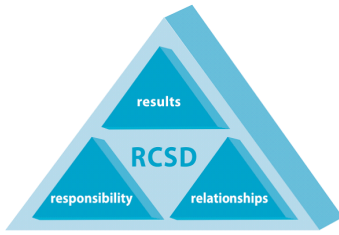
Trustee Villareal moved to approve the District's responses to the San Mateo County Grand Jury Reports, as presented, with a second motion by Trustee Parker. (83). The vote was 4:0 in favor.

E. Board Policy Second Reading: 6000 Series

Governing Board Clerk Pro Tem Youstra read Section title only aloud for the public.

Section 6000 – INSTRUCTION

6000	Basic Policy
	6000.1 Responsibilities of the Board of Trustees
	6000.2 Responsibilities of the Superintendent
6010	Parental Involvement
6110	Schedules
	6110.1 School Calendar
	6110.2 Released Time
6115	Ceremonies and Observances
6140	Curriculum Development/Organization
	6140.1 Standards of Proficiency
	6140.2 Differential Standards
	6140.3 Substance Abuse Education



Ravenswood City School District

Special Education Department

2120 Euclid Avenue, East Palo Alto, California 94303
(650) 329-2800 Ext. 60142 Fax (650) 327-8397

Board Members:

Sharifa Wilson, President
Larry Moody, Vice President
Saree Mading, Clerk
John Bostic, Member
Marcelino López, Member

“OUR CHILDREN – OUR FUTURE”

María M. De La Vega
Superintendent

September 24, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, Ca. 94063-1655

Re: Response to The Cost of Special Education in San Mateo County School Districts

Dear Judge Cretan,

This response to the Grand Jury report, *The Cost of Special Education in San Mateo County School Districts*, was reviewed and approved by the Governing Board of the Ravenswood City School District at its regular meeting on September 23, 2010.

The Ravenswood City School District agrees with all of the findings of the Grand Jury report. The District, also, wants to acknowledge the thorough job of the Grand Jury in investigating these issues and developing appropriate recommendations for the school districts in San Mateo County.

Recommendations:

- 1. The Board of Trustees of the Ravenswood City School District (and others) will join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.**

The Ravenswood City School District (“Ravenswood”) is currently in a unique situation relative to other County school districts, in that its special education program and service delivery model is dictated and governed by a federal consent decree, which has been in place since 2003. As such, the District is compelled to follow strict procedures and policies dictated by the corrective action plan approved by the Court, known as the “Ravenswood Self Improvement Plan” (RSIP). Accordingly, Ravenswood utilizes a service delivery model for special education services called the “School-wide Applications Model” (SAM), which is an integrated service delivery model sometimes generically referred to as an “inclusion” or “full inclusion” model. Under SAM, 90% of Ravenswood students with IEPs are included in the general education class receiving various levels of supports and services and accessing the general education curriculum. Preschool students are also fully integrated into the Child Development Centers in East Palo Alto. The District has developed a co-teaching model, and Integrated Service providers work closely with general education teachers in serving students.

Ravenswood agrees with the recommendation to explore more formally the formation of a South County Consortium to develop high quality cost effective special education programs for students with disabilities. Specifically, the District is interested in working more closely with neighboring districts to develop a continuum of services for students in the South County. However, due to the unique nature of service delivery in Ravenswood, mandated and closely monitored by the Court, Ravenswood's participation will depend on the goals of the Consortium. It is possible that participation would require the approval of the Court and/or agreement of other parties to the litigation.

- 2. As a member of the San Mateo County SELPA, the Ravenswood City School District, will continue to collaborate with the SELPA to provide 1) the number of students receiving special education services; 2) the total cost of the special education services; and 3) the district local general fund contribution to special education.**

The Ravenswood City School District agrees with this finding and will support it.

- 3. The Ravenswood City School District will work with the San Mateo County Office of Education, SELPA and other agencies to actively engage in lobbying local members of Congress to fully fund the Individuals with Disabilities with Education Act (IDEA) to the 40% promised and lobbies state legislators to ensure that the State does not abdicate its responsibility to fund special education.**

The Ravenswood City School District appreciates and supports this recommendation.

Thank you for the detailed report. Please contact me with any questions you may have.

Sincerely,



Maria De La Vega
Superintendent

Cc: Board of Education

REDWOOD CITY SCHOOL DISTRICT

750 Bradford Street • Redwood City • CA 94063 (650) 423-2200 FAX: (650) 423-2204

Board of Education

Dennis McBride, President
Alisa MacAvoy, Vice President
Hilary Paulson, Clerk
Shelly Masur
Maria Diaz-Slocum



Superintendent

Jan Christensen

September 15, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Response to Grand Jury Report on Cost of Special Education in San Mateo County School Districts, as approved by the Redwood City School District Board of Education on August 25, 2010

Dear Judge Cretan:

The Board of Trustees has reviewed the Civil Grand Jury report related to special education services. It has also considered the Grand Jury's recommendation that the Redwood City School District join or start a consortium with the other listed districts.

The Board of Trustees currently supports the Redwood City School District to work in collaboration with the listed districts to provide consistent special education services.

The RCSD is one of the largest districts in the County, serving over 9,000 students. The district has developed many specialized programs including a program for emotionally disturbed children, a program for severely mentally handicapped children, a K-2 autism program, and an Asperger inclusion program. The district also implemented programs for children who are deaf or hard of hearing. A number of these programs include students from other districts obtained via inter district transfers.

The district has brought back many of its students who had been served by the County, thus substantially cutting the district's special education costs.

The district also collaborates with the San Mateo-Foster City School District to share the cost of an audiologist.

Going forward, the district plans to work with the County Office of Education to determine how it can collaborate or form a consortium with the other listed districts.

Sincerely,

Dennis McBride
President, Board of Education

Jennifer Blanco
William J. Henderson Jr.
Kevin J. Martinez
James R. Prescott
Henry Sanchez, MD



ADMINISTRATION
David E. Hutt, Ed.D.
Superintendent
Lynn Orong, MBA
Associate Superintendent
of Business Services

September 9, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063

Dear Judge Cretan:

We are in receipt of the Grand Jury's report and findings concerning, "The Cost of Special Education in San Mateo County School Districts."

As one of the participating districts in the North County Cooperative for Special Education we agree with the findings.

Recommendation #1: Already implemented, as cited in the report.

Recommendation #2: As a member of the San Mateo County SELPA we receive information in a timely fashion concerning programs and enrollment. There is ongoing monitoring of the level of general fund contribution to special education, as reflected in the First and Second Interim Budget reports. We will disseminate information, as provided, when received from the County.

Recommendation #3: This recommendation has been implemented and is ongoing.

If anything further is required, do not hesitate to contact us.

Sincerely,



David E. Hutt
Superintendent

This response was approved by the San Bruno Park School District Board of Trustees at their September 8, 2010 meeting.



SAN CARLOS SCHOOL DISTRICT

Craig Baker, Ed.D., Superintendent
Kelly L. Price, Chief Business Official

826 Chestnut Street
San Carlos, CA 94070
Voice: (650) 508-7333
Fax: (650) 508-7340
www.sancarlos.k12.ca.us

September 27, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City CA 94063-1662

Re: San Mateo Grand Jury Report

Dear Judge Cretan,

This response to the Grand Jury report, *The Cost of Special Education in San Mateo County School Districts*, was approved by the San Carlos School District Governing Board at its regular meeting on September 23, 2010. The Governing Board is grateful the work of the Grand Jury and for the valuable information obtained and shared.

Responses to the Grand Jury Findings and Recommendations as follows:

Findings

Under Findings, Item 6e, *“Meetings with NPA/ABA providers to discuss accountability issues concerning billing, fading (the reduction of services over time), and professional conduct of in-home ABA providers, The SELPA is looking at hiring ABA providers through the COE or a district so that there is more control over the services.”*

SCSD is pleased with the SELPA’s effort this past school year to address county-wide concerns regarding NPA/ABA agencies professionalism. This district looks forward to on-going collaboration to further this effort, refine and streamline practices. Our district has also implemented more stringent requirements to hold NPA/ABA providers more accountable for their services to our students.

Recommendations

Overall, San Carlos School District agrees with the recommendations outlined in the document.

Recommendation #1: *“The Board of Trustees of the San Carlos School District (and others) join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction of general fund revenue support for special education programs, without reducing the quality of services.”*

Over the past two years, the SCSD has actively pursued expansion of special education service to its resident and charter students by:

- 1) Developing a Response to Intervention (RTI) model district-wide and enhancing it's early identification best practices;
- 2) Developing and implementing programs that had often been provided by non-public schools; and
- 3) Replacing all contracted Occupational Therapist and Speech Language Pathologist with district-hired staff.

This primary initiative was three-fold: 1) to provide quality control and provision of services; 2) allow options to better serve students in the least restrictive environment and 3) ensure provision of programming in the most cost-effective manner. As a result. for the 2010-2011 school year, we no longer have any contracted speech/language or occupational therapy services being provided on our elementary or middle school campuses by contractors.

San Carlos appreciates the SELPA's effort to foster consistent use of the eligibility criteria county-wide. Our Director of Special Education will work in collaboration with SELPA Director, Pamela Ptacek, serving on the on the Speech and Language Impairments Eligibility task force in the upcoming school year.

Further, the District supports the recommendation to investigate the formation of a south county consortium to *“leverage policies and procedures that may result in more consistent application of special education eligibility criteria”*. It is important to note that our Director of Special Education is currently a member of the South County Director's Council which is comprised of Directors from the following school districts: Belmont-Redwood Shores, Las Lomas, Menlo Park, Portola Valley, Ravenswood, Redwood City, Sequoia, and Woodside. This group meets monthly and this could provide an excellent forum to further and more formalize such discussions.

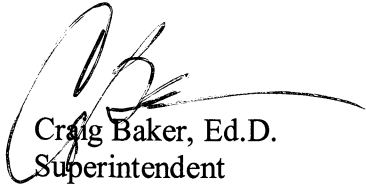
Recommendation #2: *“The San Mateo County Office of Education provide timely information to the general public through the SELPA on the number of students in special education by program and service, the total cost of the service and the general fund contribution to special Education.”*

The San Carlos School district supports this recommendation and will collaborate fully with the San Mateo SELPA.

Recommendation #3: *“The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individual with Disabilities Act (IDEA) to the 40% proposed for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education.”*

The San Carlos School district supports this recommendation and will continue to collaborate with a variety of organizations “to advocate for full funding of the Individuals with Disabilities Act (IDEA) at 40%” level.

Sincerely,

A handwritten signature in black ink, appearing to read 'CB', with a long horizontal flourish extending to the right.

Craig Baker, Ed.D.
Superintendent



SAN MATEO COUNTY OFFICE OF EDUCATION

Jean Holbrook, Ed.D., County Superintendent of Schools

August 13, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Cretan:

This letter responds to the 2009-2010 San Mateo County Civil Grand Jury's Report entitled "The Cost of Special Education in San Mateo County Schools."

Recommendation #2. The San Mateo County Office of Education provide timely information to the general public through the Special Education Local Plan Area on the number of students in special education by program and service, the total cost of the service and the general fund contribution to special education.

The County Superintendent agrees with the recommendation. The San Mateo County SELPA will annually collect data and make available to the public: 1) the number of students receiving special education services; 2) the total cost of the special education services; and 3) the districts' local fund contribution to special education.

Recommendation #3. The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individuals with Disabilities Act (IDEA) to the 40% promised for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education.

The County Superintendent agrees with this recommendation. The County Superintendent and staff will continue to work with State legislators and members of Congress to ensure stable, adequate and equitable funding for special education. The California County Superintendents Educational Association (CCSESA), of which the San Mateo County Superintendent is a member, has identified full funding of special education as one of its priorities and retains a federal lobbyist to work on its behalf. The San Mateo County SELPA Administrator is very active in the Coalition for Adequate Funding for Special Education (CAFSE) which lobbies Congress to fully fund the IDEA to the promised 40% level, and lobbies State legislators to ensure that the State fulfills its responsibility to fund special education.

Honorable Clifford V. Cretan

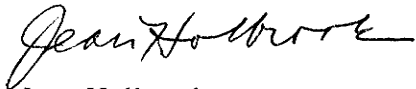
August 13, 2010

Page 2 of 2

Furthermore, the Grand Jury commends the Special Education Local Plan Area of the San Mateo County Office of Education for its leadership in improving the quality of special education and fostering the use of eligibility criteria for special education services throughout the County.

The County Superintendent appreciates the commendation of SELPA leadership and will continue to support the efforts of the SELPA to improve the quality of special education and use of eligibility criteria for special education services throughout the County.

Sincerely,



Jean Holbrook

San Mateo County Superintendent of Schools

c: San Mateo County Board of Education
Grand Jury Web site (via e-mail)
Board of Supervisors



San Mateo-Foster City School District

September 28, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, Ca 94063-1655

Re: Response to the San Mateo Civil Grand Jury Report entitled "The Cost of Special Education in San Mateo County Schools." – Approved by the Board of Trustees at the October 7, 2010 regularly scheduled Board Meeting.

Dear Judge Cretan,

This letter is in response to the Grand Jury report filed on July 7, 2010, relating to the cost of special education in the San Mateo County School Districts.

Recommendation #1 – The Board of Trustees of Millbrae Elementary, Hillsborough City Elementary, Burlingame Elementary, San Mateo-Foster City Elementary, Belmont-Redwood Shores Elementary, Las Lomas Elementary, Menlo Park City Elementary, San Carlos Elementary, Redwood City Elementary, Portola Valley Elementary, Woodside Elementary, Ravenswood City, Cabrillo Unified, La Honda-Pescadero Unified School Districts, Jefferson Union, San Mateo Union and Sequoia Union High School Districts join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.

The San Mateo-Foster City School District supports this recommendation and will actively participate with the San Mateo County SELPA Administrator to explore the formation of a South County consortium and/or partnerships to develop cost effective special education programs for students with disabilities. We currently have such an arrangement with the Redwood City School District to serve our Deaf and Hard of Hearing students.

The San Mateo-Foster City School District has the largest enrollment in San Mateo County and has adopted a strategy of opening new District special education classes that serve students that would otherwise be placed in County or NPS (Non Public School) classes.

Recommendation #2 – The San Mateo County Office of Education provide timely information to the general public through the Special Education Local Plan Area on the number of students in special education by program and service, the total costs of the service and the general fund contribution to special education.

Board of Trustees:
Julie S. Chan
Mark D. Hudak
Lory Lorimer Lawson
Colleen Sullivan
Ellen Mallory Ulrich

Superintendent:
Pendery A. Clark, Ed.D.

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The San Mateo-Foster City School District supports this recommendation and will continue to provide data to the San Mateo County SELPA regarding the number of students receiving special education services; the total cost of special education services; and the district's local general fund contribution.

Recommendation #3 – The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individuals with Disabilities Act (IDEA) to the 40% promised for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education.

The San Mateo-Foster City School District will continue to advocate that our elected officials support legislation to fully fund the IDEA to the 40% promised for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education.

Sincerely,



Penderly A. Clark, Ed.D.
Superintendent

cc: San Mateo-Foster City School District Board of Trustees
San Mateo County Board of Education
grandjury@sanmateocourt.org (via email)

San Mateo Union High School District

Scott Laurence, Superintendent

Elizabeth McManus, Deputy Supt. Business Services

Matthew Biggar, Associate Supt. Instructional Services

Kirk Black, Associate Supt. Human Resources & Admin. Services



September 24, 2010

William Blodgett, Foreperson
San Mateo County Grand Jury
Hall of Justice, 400 County Center
Redwood City, CA 94063-1655

Subject: The Cost of Special Education in San Mateo County School Districts

Dear Mr. Blodgett:

On July 7, 2010, the Grand Jury of San Mateo County published its "Cost of Special Education in San Mateo County School Districts" report. The Board of Trustees of San Mateo Union High School District is charged with setting policies and overseeing the implementation of those recommendations. The Board takes responsibility to implement fiscally-responsible procedures while providing high-quality services to students with special needs.

Please find our specific responses in the paragraphs below.

DISTRICT'S RESPONSE TO GRAND JURY'S FINDINGS

The Grand Jury's Findings appear below:

1. The Federal Government, as legislated, agreed to cover 40% of the cost of Special Education services. The actual reimbursement to each school district is between 15% - 20%. The 20% reimbursement rate was achieved in the 2009-2010 school year when federal stimulus funds earmarked for special education were distributed to school districts.
 - The district agrees that the Federal government has mandated, in IDEA 2004, that services be provided to students with special needs which they have not fully funded. Without federal stimulus funds this past year, the reimbursement rate for the district would have been less than 20 percent.

2. San Mateo County schools have an Average Daily Attendance of approximately 86,000 students of which 12% are in Special Education. The Consortium percentage of special education is slightly lower at 11.5 percent. For the four North County Consortium elementary school districts (Bayshore, Brisbane, Jefferson, and Pacifica) that have participated in the Consortium since its founding in 2006, the general fund contribution average is 7.7 percent compared to the average for the non-Consortium elementary school districts at 11.8 percent. (Appendix B, San Mateo County SELPA, General fund Contributions to Special Education Services, 3/25/2010)
 - Our district currently contributes 14.8 percent of available funds to serve students with special needs. We have not formed a consortium with any other districts, but have formed partnerships with County Mental Health, the County Office of Education and Sequoia and Jefferson school districts in providing services and programs to students.
3. Some districts are supplementing a high proportion of their Special Education funds with general funds (Appendix B).
 - At this time, the district supplements 50 percent of the Special Education budget with general fund monies.
4. The County Office of Education educates the most severely disabled students because these students need teachers with advanced credentials, modified facilities and specialized equipment.
 - The district does access the County Office of Education to serve some of the more intensive Special Education students. It is fiscally sound to have the county provide these services because the district does not always have enough students to fill a class. The cost of the equipment, staffing and instructional needs of the students are shared by districts that send their students to a central location.
5. The North County Consortium has substantially reduced the number of placements in county operated programs for students with less severe disabilities at a minimum savings of \$14,000 per Special Education student. The districts forming the Consortium banded together and offered their own Special Education programs with reduced personnel and overhead costs.
 - The district houses the SELPA class for the Deaf and Hard of Hearing high school students to reduce the need for non-public school or county placements in an effort to better serve students and reduce costs. In addition, the district shares Therapeutic Day Class students with the two other high school districts in programs that are co-sponsored by County Mental Health to avoid costly residential and private therapeutic placements.

6. The SELPA provides the following:
 - a. Individual Education Plan (IEP) Training of Trainers Modules. The training is focused on applying the eligibility criteria consistently and writing compliant IEPs that provide educational benefit.
 - b. Ongoing meetings with the San Mateo County Behavioral Health Division of the County Health department and The Golden Gate Regional center to foster interagency collaboration. The meetings with the regional Center have improved the transition from Early Start to preschool so that Regional center caseworkers are not demanding that Early Start services continue when the child transitions to preschool, which is very costly.
 - c. A redesign of the Alternative Dispute Resolution (ADR) process. Each district will designate three parents who will be trained as resource parents. They will be trained in effective communication skills, collaboration, and the IEP process so that they can help other parents new to the system. The SELPA also offers trained facilitators to mediate at a difficult IEP.
 - d. Analysis of the results of the recent Autism Survey to develop trainings for best practices in the delivery of services to students with autism.
 - e. Meetings with NPA/ABA providers to discuss accountability issues concerning billing, fading (the reduction of services over time), and professional conduct of in-home ABA providers. The SELPA is looking at hiring ABA providers through the COE or a district so that there is more control over the services.
 - f. The completion of guidelines on the use of Special Circumstance Instructional Assistance (SCIA) aides. These guidelines are intended to provide districts with a step-by-step process on how to determine if a student needs an SCIA. There is also a fading of services process to ensure that the SCIA does not prevent the student from becoming independent. Training on the SCIA Guidelines will be conducted in the fall of 2010.
 - g. A master contract with Non Public Schools (NPS), and Non Public Agency providers (NPA) that sets uniform rates for all school districts.
 - h. Guidance in the plan to establish a legal fund from the SELPA Contingency Fund to defend against high profile and precedent setting special education legal cases. A legal costs survey indicated that districts tend to settle in mediation rather than going to a due process fair hearing before an administrative law judge. Judges make rulings that are non-binding and can be appealed to a federal court. Sometimes, it is less expensive for a school district to settle than to take the risk to go to due process. For example, if a school district loses in due process they become liable for the legal expenses incurred by the parent. With the backing of the proposed Legal Costs Pool, a district would have some financial support to go forward with a case that they think might have a precedent setting value for the other districts in the SELPA.
 - The district has taken advantage of all the services provided by the SELPA. In addition, the Director of Special Education was on the SELPA committee to review and recommend future program needs. The SELPA is actively engaged in projecting trends in student populations and finding ways to meet the student needs in high quality, cost effective programs. The district supports the establishment of a Legal Costs Pool to be used for precedent setting legal cases.

DISTRICT'S RESPONSE TO GRAND JURY'S RECOMMENDATIONS

The Grand Jury's Recommendations appear below:

1. The Board of Trustees of the Millbrae Elementary, Hillsborough City Elementary, Burlingame Elementary, San Mateo-Foster City Elementary, Belmont-Redwood Shores Elementary, Las Lomas Elementary, Menlo Park City Elementary, San Carlos Elementary, Redwood City Elementary, Portola Valley Elementary, Woodside Elementary, Ravenswood City, Cabrillo Unified, La Honda-Pescadero Unified School Districts, Jefferson Union, San Mateo Union and Sequoia Union High School Districts join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.

- The district is already working with the other high school districts in a few areas, but would like to expand our collaboration efforts to establish high quality programs while reducing the use of general fund revenue support.
2. The San Mateo County Office of Education provides timely information to the general public through the Special Education Local Plan Area on the number of students in special education by program and service, the total cost of the service and the general fund contribution to special education
 - The County Office of Education is providing more timely information to the district on the costs of their services. At the SELPA meeting, September 26, 2010, directors were given cost projections and the county shared their efforts to reduce costs to the district.
 3. The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individual with Disabilities Act (IDEA) to the 40% promised for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education.

Furthermore, the Grand Jury commends the Special Education Local Plan Area of the San Mateo County Office of Education for its leadership in improving the quality of special education and fostering the use of consistent eligibility criteria for special education services throughout the County.

- The SELPA has issued a position paper to the legislature on the need for full funding. The district would appreciate any support from county agencies to also contact Congress members.

The district appreciates the Grand Jury's commendation and recognition of the efforts and leadership of Special Education educators at the SELPA and district level. We are committed to the best education for our students and to fiscal responsibility to the community.

Respectfully submitted,



Scott Laurence
Superintendent

This response was approved by the San Mateo Union High School District Board of Trustees at their September 23, 2010 meeting.

SEQUOIA UNION HIGH SCHOOL DISTRICT

480 JAMES AVENUE, REDWOOD CITY, CALIFORNIA 94062-1098
ADMINISTRATIVE OFFICES (650) 369-1412

BOARD OF TRUSTEES
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ALAN SARVER
CHRIS THOMSEN

September 2, 2010

JAMES LIANIDES
SUPERINTENDENT

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; Second Floor
Redwood City, CA 94063-1655

Re: 2009-10 San Mateo County Civil Grand Jury July 7, 2010, report,
The Cost of Special Education in San Mateo County School Districts

Dear Judge Cretan:


The Sequoia Union High School District partially agrees with the San Mateo County Grand Jury's Recommendation No. 1, on Page 7 of the report. It agrees that forming of regional consortiums can result in lowering of special education costs without reducing the quality of services. It disagrees however that the "consistent application of special education eligibility criteria" should be done at the consortium level and feels this should be a task of the County SELPA (Special Education Local Plan Areas), which would ensure consistency on a countywide basis.

The Sequoia Union High School District is one of the larger school districts in the County in both enrollment and the size of its geographical area. While it does engage in cooperative relationships with other school districts on transportation services, it has adopted a strategy of opening new District special education classes that serve students that otherwise would be placed in County or NPS (Non Public School) classes. Examples of these classes include the Top Flight program (students with behavioral challenges), ED (Emotionally Disturbed), Autistic, and OI (Orthopedically Impaired) classes housed at District sites.

The Sequoia Union High School District is open to explore cooperative relationships that do provide special education services with surrounding school districts serving 9th to 12th grade students. We currently have such a relationship with San Mateo Union High School District for the placement of deaf Special Day Class students. It should also be noted that as a larger school district, the Sequoia Union High School District is able to achieve many of the advantages of a "consortium" as a single district.

The SUHSD Board of Trustees approved this response to the Civil Grand Jury at its meeting on September 1, 2010.

Sincerely,



James Lianides, Ed.D.
Superintendent

c: Lauren O'Leary
Board of Trustees



SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
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January 14, 2011

William Blodgett, Foreperson, Grand Jury-County of San Mateo
Hall of Justice
400 County Center
Redwood City, CA 94063-1655

Regarding: Response to 2009-2010 Grand Jury Report

Dear Mr. Blodgett,

Please excuse the lateness in our response to your request. Over the past five (5) months we have had a turnover in staff that has precluded our getting this response out in a timely manner. On January 13, 2011, the Governing Board of the South San Francisco School District approved the following response to the findings and recommendations of the 2009-2010 Grand Jury Report titled: *The Cost of Special Education in San Mateo School Districts; filled on July 07, 2010.*

FINDINGS:

Finding 1

The respondent: SSFUSD agrees with the finding of the Grand Jury. The actual "reimbursement" to each school district in San Mateo County is substantially lower from the Federal Government's mandated agreement to fund Special Education at a 40.4% reimbursement rate. The actual reimbursement has wavered between 17 and 18.4% to cover the costs of Special Education Services. The under-funding of Special Education has had a serious negative impact on our school district.

Finding 2

The respondent: SSFUSD agrees with the finding of the general fund contributions in the North County Consortium districts as well as the non-Consortium districts. South San Francisco Unified School District being a "unified" school district has a higher percentage of students in Special Education: 13.65%, which is still lower than "non-Consortium" school districts of equal size and demographics. SSFUSD has been a member of the North County Consortium since it's founding in 2006.

Finding 3

The respondent: SSFUSD, agrees with the finding that our district as well as all of the districts in our SELPA are having to supplement a high proportion of their Special Education funding with each Districts' general fund.

Finding 4

The respondent: SSFUSD agrees with the finding that the majority of our students with the most severe disabilities are educated in one of the San Mateo County Office of Education programs by SMCOE staff. These students require instruction from those with specialized credentials identified for students with Moderate to Severe Disabilities, modified facilities and specialized equipment to meet their educational needs.

Finding 5

The respondent: SSFUSD has been a member of the North County Consortium since its inception in 2006. There has been a direct correlation to the reduction of students identified with less severe disabilities, being placed in one of the county programs as well as in non-public schools with the onset of the North County Consortium. This has resulted in lower costs for these students as our District has greater options to place students in order to best meet these students' needs. The programs offered through the North County Consortium, based on the reduced teacher to student ratio and less need for specialized equipment produce a reduced overhead and cost.

Finding 6

The respondent: SSFUSD agrees with the findings that the San Mateo SELPA provides all services as listed.

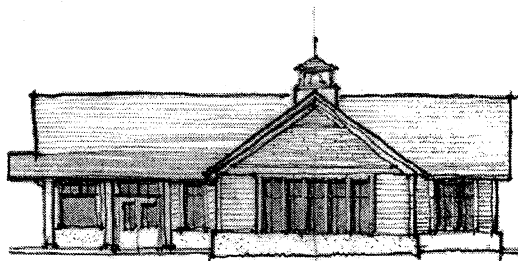
RECOMMENDATIONS:

1. The Board of Trustees for South San Francisco Unified School District will continue to support SSFUSD being a member of the North County Consortium. SSFUSD will provide support and guidance to those school districts in the San Mateo County SELPA looking to create a South County Consortium, in order to better serve those students requiring special education services.
2. South San Francisco Unified School District will continue to provide the SELPA with accurate, up-to-date data which reflects the District's number of students receiving special education services, the cost of the Special Education services and programs and the differentiated cost of the District's general fund contribution to Special Education.
3. The Board of Trustees for South San Francisco Unified School District and the members of SSFUSD administrative cabinet will outreach to the District's Congressional Representatives, through a letter and phone calling campaign, to sponsor legislation to fully fund the mandated IDEA to the 40% promised for Special Education programs and services as well as demand that the state does not abdicate its responsibility to fund special education.

Respondent for the South San Francisco Unified School District:



Adolfo Melara
Acting Superintendent



Woodside Elementary School District

3195 Woodside Road, Woodside, CA 94062

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www.woodside.k12.ca.us

August 24, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

RE: Response to Grand Jury Report 2009-2010: Cost of Special Education in San Mateo County School Districts.

Dear Judge Cretan:

The Woodside Elementary School District (WESD) Governing Board has reviewed the Grand Report and recommendations regarding the cost of Special Education in San Mateo County School Districts and offers the following response to the findings:

Recommendation #1: The WESD Governing Board agrees with the findings and continues to support such efforts of partnering with neighboring school districts in order to maximize resources with the goal of reducing general fund support for special education services.

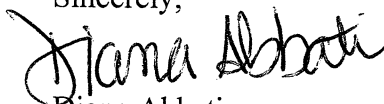
Recommendation #2: The WESD Governing Board agrees with this finding.

Recommendation #3: The WESD Governing Board agrees with this finding.

At the August 24, 2010 WESD Board Meeting, the Governing Board of the Woodside Elementary School District approved this response to the Grand Jury Report 2009-2010: Cost of Special Education in San Mateo County School Districts. This action will be reflected in the minutes for this meeting.

Thank you for the opportunity to respond to the Grand Jury's recommendations regarding this important issue.

Sincerely,


Diana Abbati
Superintendent/Principal