AGENDA
Operational Steering Committee
November 4, 2026
8:00 am Open Session
Marin County Office of Education
1111 Las Gallinas Ave, San Rafael, CA

1.0 Call Public Session to Order

Raquel Rose, Superintendent, Kentfield School District

Operational Steering Committee:

Area 1: David Rice, Superintendent, Ross School District
Area 1 includes Tamalpais UHSD, Larkspur - Corte Madera SD, Ross SD
Area 2: Tyler Graff, Superintendent, Ross Valley School District
Area 2 includes Shoreline USD, Lagunitas SD, Ross Valley SD, Nicasio SD
Area 3: Raquel Rose, Superintendent, Kentfield School District
Area 3 includes Mill Valley SD, Sausalito Marin City SD, Kentfield SD, Reed SD, Bolinas-Stinson SD
Area 4: Kristy Treewater, Superintendent, Miller Creek School District
Area 4 includes Miller Creek SD, San Rafael Elementary SD, San Rafael High SD
Area 5: Tracy Smith, Superintendent, Novato Unified School District
Area 5 is the Novato Unified School District
Area 6: John Carroll, Superintendent, Marin County Office of Education
Area 6 includes the Marin County Office of Education, Laguna Joint SD

Marin County SELPA Staff:

Rebecca Minnich, SELPA Executive Director
Brian Mangold, SELPA Coordinator

2.0 Establishment of Quorum

3.0 Consent Agenda

(Members may remove items from the Consent Agenda)

3.1 Approval of Minutes from October 7, 2026 OSC Meeting
3.2 Approval of Agenda for November 4, 2026 OSC Meeting

4.0 Public Comment

Gover Government Code § 54954.3 provides that the public will have an opportunity to address the board on any item described on a regular or special meeting agenda either before or during the consideration of the item. Per MCOE Board Policy 9323, members of the public shall have an opportunity to address any item on the agenda either before or during the consideration of the item. Individual speakers will be allowed two (2) minutes to address the OSC on each agenda or non-agenda item, and the total time for public input on each item will be limited to twenty (20) minutes.

5.0 Action Items

5.1 2026 - 2027 Marin County SELPA Annual Goals

The 2026 - 2027 Marin County SELPA Annual Goals will be presented for review and adoption.

5.2 2026 – 2027 Independent Educational Evaluation (IEE) Cost Containment

The 2026 Independent Educational Evaluation (IEE) Cost Containment criteria will be presented for review and adoption.

5.3 Marin County SELPA Special Education Advisory Committee Nominations

The Marin County SELPA Special Education Advisory Committee (SEAC) has three (3) nominations that will be presented for OSC approval.

6.0 Discussion Items

6.1 Fiscal Implications, Facility Obligations, and Materials and Equipment: Current Program Transfer

Information will be shared regarding the anticipated fiscal implications, facility obligations, and materials and equipment transfer related to Program Transfer.

6.2 Supporting Innovative Practices (SIP): Blueprint for Inclusion Readiness Assessment

Information will be shared regarding the Blueprint for Inclusion Readiness Assessment, including opportunities to support and expand inclusive practices throughout the Marin County SELPA.

7.0 Information Items

7.1 Marin County SELPA Regionalized Activities to Support Inclusive Practices

Information will be shared regarding current activities supporting inclusive practices in the Marin County SELPA.

7.2 Marin County SELPA Policy C-17: Policy and Procedures for Serving Students with Disabilities Parentally Placed in Private Schools

Information will be provided regarding new California Department of Education requirements for the reporting of parentally placed private school students with

disabilities and the review of SELPA Policy C-17: Policy and Procedures for Serving Students with Disabilities Parentally Placed in Private Schools

7.3 Marin County SELPA Special Education Advisory Committee Report
Information will be presented regarding the work of the Marin County SELPA's Special Education Advisory Committee.

8.0 SELPA Director's Report
Information, communication, and reports will be presented by the SELPA Director.

9.0 Board Member Comments
Each member of the Governing Board/Operational Steering Committee may report about various matters related to the SELPA. There will be no Board discussion except to ask questions and refer matters to staff, and no action shall be taken unless listed on a subsequent agenda.

10.0 Future Planning

Next Meeting Date: January 13, 2027 - 8:00 a.m. – Marin County Office of Education

11.0 Adjournment

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Annotation – Agenda Items 3.1 & 3.2
Operational Steering Committee
November 4, 2026

Agenda Item

3.1 Approval of Minutes from October 7, 2026 OSC Meeting
3.2 Approval of Agenda for November 4, 2026 OSC Meeting

Item Taken

Action

Summary of Key Issues

The minutes of the October 7, 2026 OSC meeting and the agenda for the November 4, 2026 OSC meeting are presented for adoption.

Summary of Previous OSC Action

None

Recommendation

The SELPA Director recommends that the Operational Steering Committee approve the Consent Agenda as presented.

Attachments to this Agenda Item

Attachment: Minutes, Operational Steering Committee Meeting, October 7, 2026

MINUTES
Operational Steering Committee
October 7, 2026
8:00 am Open Session
Marin County Office of Education
1111 Las Gallinas Ave, San Rafael

1.0 Call Public Session to Order

Raquel Rose, Superintendent, Kentfield School District

Raquel Rose called the meeting to order at 8:01 am.

Operational Steering Committee:
Area 1: David Rice, Superintendent, Ross Madera School District
Area 1 includes Tamalpais UHSD, Larkspur - Corte Madera SD, Ross SD
Area 2: Tyler Graff, Superintendent, Ross Valley School District
Area 2 includes Shoreline USD, Lagunitas SD, Ross Valley SD, Nicasio SD
Area 3: Raquel Rose, Superintendent, Kentfield School District
Area 3 includes Mill Valley SD, Sausalito Marin City SD, Kentfield SD, Reed SD, Bolinas-Stinson SD
Area 4: Kristy Treewater, Superintendent, Miller Creek School District
Area 4 includes Miller Creek SD, San Rafael Elementary SD, San Rafael High SD
Area 5: Tracy Smith, Superintendent, Novato Unified School District
Area 5 is the Novato Unified School District
Area 6: John Carroll, Superintendent, Marin County Office of Education
Area 6 includes the Marin County Office of Education, Laguna Joint SD

Marin County SELPA Staff:
Rebecca Minnich, SELPA Executive Director
Brian Mangold, SELPA Coordinator

In attendance: Raquel Rose, David Rice, Tyler Graff, Kristy Treewater, Tracy Smith, John Carroll.

2.0 Establishment of Quorum

A quorum was established with six (6) members in attendance at the time the meeting was called to order.

3.0 Consent Agenda

(Members may remove items from the Consent Agenda)

3.1 Approval of Minutes from September 2, 2026 OSC Meeting

3.2 Approval of Agenda for October 7, 2026 OSC Meeting

Motion: David Rice **Second: Tracy Smith** **Carried: Unanimous**

4.0 Public Comment

Government Code § 54954.3 provides that the public will have an opportunity to address the board on any item described on a regular or special meeting agenda either before or during the consideration of the item. Per MCOE Board Policy 9323, members of the public shall have an opportunity to address any item on the agenda either before or during the consideration of the item. Individual speakers will be allowed two (2) minutes to address the OSC on each agenda or non-agenda item, and the total time for public input on each item will be limited to twenty (20) minutes.

There was no Public Comment made at the meeting.

5.0 Action Items

5.1 2026 – 2027 Interagency Memorandum of Understanding Between California Children's Services and Marin County SELPA

The 2026 – 2027 Interagency Memorandum of Understanding Between California Children's Services and Marin County SELPA will be presented for approval.

The SELPA Director presented the 2026 – 2027 Interagency Memorandum of Understanding Between California Children's Services and Marin County SELPA for adoption. The SELPA Director shared that the 2026 – 2027 Interagency Memorandum of Understanding Between California Children's Services and Marin County SELPA has no changes from prior year. SELPA Director recommended approval as presented.

Motion: David Rice **Second: John Carroll** **Carried: Unanimous**

6.0 Discussion Items

6.1 Program Transfer Notifications and Timeline

Information will be shared regarding activities related to the Program Transfer Notification received from the Miller Creek School District and Nicasio School District for the 2026 – 2027 school year.

The SELPA Director shared information related to the Program Transfer Notification received from Miller Creek School District and Nicacio School District for the 2027 - 2028 school year. Since the September OSC meeting, the Miller Creek School District formally withdrew its notice of intent to pursue a Program Transfer.

The SELPA Director highlighted key components of the Program Transfer Policy and the timeline associated with those components.

The SELPA Director explained that the Nicasio School District does not intend to transfer a class; rather, the district is looking at a Mild/Moderate Resource Specialist Program. In this case, there would be no facility change because Nicasio currently provides the facility for the provision of services to students in this program.

Superintendent Rose inquired about the impact on Excess Costs and Superintendent Treewater inquired about anticipated impact to staff. The SELPA Director shared that potential fiscal impact and potential impact on staff would be shared and discussed at the November OSC meeting.

7.0 Information Items

7.1 Marin County Alternative Dispute Resolution Program

Information will be presented regarding the activities of the Marin County SELPA Alternative Dispute Resolution Program in the 2025 – 2026 school year.

The SELPA Director reviewed Alternative Dispute Resolution (ADR) Grant activities during the most recent ADR Grant Progress Report period from Oct. 1, 2025-Sept. 30, 2026.

Superintendents Graff and Superintendent Smith asked about ADR trends, particularly with facilitated IEPs. The SELPA Director explained that facilitated IEPs are often complex, frequently require multiple meetings as they often address special education services and placement. Superintendent Treewater asked if any SELPA-facilitated IEP meetings during the reporting period went to a Due Process hearing, and the SELPA Director shared that there were none.

Superintendent Rose inquired about the SELPA's ADR budget. The SELPA Director shared that the SELPA has carried out its ADR responsibilities within budget.

The OSC discussed ways that districts can partner with families to be responsive and reduce disputes.

7.2 Marin County SELPA Autism Demonstration Sites: Year Two Implementation Plan
Information will be shared regarding identified activities to support the implementation and sustainability of the Marin County SELPA Autism Demonstration sites.

The SELPA Director shared information regarding the identified activities that will take place this school year to support the implementation and sustainability of the Marin County SELPA Autism Demonstration sites. The activities will continue to focus on developing a coordinated system of training, coaching and collaboration and creating opportunities for educators and administrators to observe high-quality autism programming and develop local capacity to implement evidence-based practices.

7.3 Marin County Special Education Advisory Committee Report
Information will be presented regarding the work of the Marin County SELPA's Special Education Advisory Committee.

The SELPA Director presented information about the recent Special Education Advisory Committee (SEAC) meeting. The SEAC identified parent workshops for the 2026 – 2027 school year and three (3) of the four (4) current SEAC members have submitted nomination forms for another term. Parent workshops that will be offered by the SELPA were presented to the SEAC for consideration.

8.0 SELPA Director's Report
Information, communication, and reports will be presented by the SELPA Director.

The SELPA Director provided information regarding the following:

- **Current legislation, including State Bill 373 which changes requirements for notification of procedural safeguards and monitoring of Nonpublic Schools, and State Bill 685, which allows qualified sectarian schools and agencies to apply and become certified Nonpublic Schools and Nonpublic Agencies, and expands requirements for and monitoring of Nonpublic Schools, especially those out-of-state. There are anticipated additional administrative responsibilities related to monitoring, documentation, and compliance oversight.**
- **Local Educational Agencies are continuing to explore inclusive programming to shift from setting-based programs to service delivery in settings that are inclusive and less restrictive.**
- **The Local Plan must be developed and updated cooperatively by a committee of representatives at least once every three years to ensure the information within the plan remains relevant and accurate. This year, the SELPA will be reviewing and updating Section B (Governance and Administration), Developing Section C (Assurances), and updating Section D and E (Budget and Service Plan) as part of the three-year review cycle.**

9.0 Board Member Comments

Each member of the Governing Board/Operational Steering Committee may report about various matters related to the SELPA. There will be no Board discussion except to ask questions and refer matters to staff, and no action shall be taken unless listed on a subsequent agenda.

Superintendent Rose commented on student support needs and the availability of appropriate resources to support students and families. She also raised a question regarding the SELPA Facilities Plan.

10.0 Future Planning

Next Meeting Date: November 4, 2026 - 8:00 a.m. – Marin County Office of Education

11.0 Adjournment

Meeting was adjourned at 9:02am.

Motion: Kristy Treewater **Second: Tracy Smith** **Carried: Unanimous**

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Annotation – Agenda Item 5.1
Operational Steering Committee
November 4, 2026

Agenda Item

5.1 2026 – 2027 Marin County SELPA Annual Goals

Item Type

Action

Summary of Key Issues

None

Summary of Previous OSC Action

The OSC approves SELPA goals on an annual basis.

Recommendation

The SELPA Director recommends that the Operational Steering Committee approve the 2026 – 2027 Marin County SELPA Annual Goals as presented.

Attachments to this Agenda Item

Attachment: Draft 2026 - 2027 Marin County SELPA Annual Goals

2026 - 2027 Marin County SELPA Goals

Domain: Continuous Program Improvement

Goal: Enhance and sustain a culture of continuous improvement across member districts by strengthening systems of compliance, behavioral programming, and implementation of evidence-based practices to support positive outcomes for students with disabilities.

Task/Activity: Provide Compliance and Improvement Monitoring (CIM) technical assistance to 100% of identified member districts.
Timeline: September 2026 – June 2027
Responsibility: SELPA Office/Director

Task/Activity: Deliver a minimum of three (3) SELPA-supported professional learning opportunities focused on evidence-based practices for students with autism.
Timeline: October 2026 – May 2027
Responsibility: SELPA Office/Director

Task/Activity: Support the delivery of a minimum of three (3) professional learning opportunities focused on positive behavioral supports.
Timeline: September 2026 – April 2027
Responsibility: SELPA Office/Director

Task/Activity: Support the delivery of three (3) collaborative learning opportunities related to the implementation of universal design for learning strategies.
Timeline: October 2026 – May 2027
Responsibility: SELPA Office/Director

Evidence of Completion: Training Materials, CIM Plans, LEA Surveys
Responsibility: SELPA Director

DRAFT

Domain: Local Governance - Local Plan Development
Goal: Ensure the SELPA Local Plan remains responsive, compliant, and reflective of member district priorities through a collaborative review of Section B and development of Section C (Assurances).

Task/Activity: Establish an Ad Hoc Local Plan Committee with representation from member Local Education Agencies and relevant educational partners.
Timeline: October 2026
Responsibility: SELPA Director

Task/Activity: Conduct a minimum of six (6) committee meetings to review Section B and develop Section C (Assurances).
Timeline: October 2026 – May 2027
Responsibility: SELPA Office/Director

Task/Activity: Solicit educational partner input and document consideration of feedback throughout the revision process.
Timeline: November 2026 – May 2027
Responsibility: SELPA Office/Director

Task/Activity: Complete recommended revisions to Section B and development of Section C within established state timelines.
Timeline: May 2027
Responsibility: SELPA Office/Director

Task/Activity: Present proposed revisions and assurances to the Operational Steering Committee for review and approval.
Timeline: June 2027
Responsibility: SELPA Director

Evidence of Completion: Meeting Agendas and Local Plan
Responsibility: SELPA Director

DRAFT

Domain: Program Development – CAPTAIN Leadership & Sustainable Practices
Goal: Build regional capacity for inclusive practices through CAPTAIN Demonstration Site implementation, cadre member development, coaching, and sustainability planning to ensure continued growth and success beyond direct SELPA support.

Task/Activity: Train and support new Cadre members through CAPTAIN Summit participation, training, coaching, and APERS implementation.
Timeline: September 2026 – June 2027
Responsibility: Regional Implementation Lead/SELPA Director

Task/Activity: Complete all Year 2 Demonstration Site activities and deliverables.
Timeline: August 2026 – June 2027
Responsibility: SELPA CAPTAIN Cadre/Director

Task/Activity: Administer the Autism Program Environment Rating Scale (APERS) at the Lucas Valley Site.
Timeline: April 2027
Responsibility: Regional Implementation Lead/CAPTAIN Cadre

Task/Activity: Host Demonstration Site visitation opportunities for educators and leaders to observe evidence-based practices, learn from colleagues, and access tools and resources that support local implementation efforts
Timeline: January – May 2027
Responsibility: Regional Implementation Lead/SELPA Office/Director

Task/Activity: Establish a sustainability plan to support Demonstration Site implementation in Year 3 without ongoing SELPA facilitation.
Timeline: June 2027
Responsibility: SELPA Office/Director

Evidence of Completion: Meeting Agendas, Coaching and Training Logs, Site Visit Materials
Responsibility: SELPA Director

DRAFT

Domain: Family Engagement and Advisory Committee Participation
Goal: Cultivate meaningful family partnerships by strengthening the Special Education Advisory Committee (SEAC), increasing SEAC representation and participation, and expanding opportunities for families to engage in learning and advisory roles within the SELPA.

Task/Activity: Increase active SEAC membership by at least 50% through targeted recruitment and outreach efforts.
Timeline: October 2026 – May 2027
Responsibility: SELPA Office/Director

Task/Activity: Offer at least three family learning opportunities addressing topics identified through the SEAC.
Timeline: November 2026 – May 2027
Responsibility: SELPA Office/Director

Task/Activity: Increase participation in SEAC learning opportunities from underrepresented districts.
Timeline: November 2026 – June 2027
Responsibility: SELPA Office/Director

Task/Activity: Engage the SEAC in Local Plan development and continuous improvement planning
Timeline: June 2027
Responsibility: SELPA Office/Director

Evidence of Completion: Meeting Agendas, Participant Rosters, Workshop Materials
Responsibility: SELPA Office/Director

DRAFT

Annotation – Agenda Item 5.2
Operational Steering Committee
November 4, 2026

Agenda Item

5.2 2026 – 2027 Independent Educational Evaluation (IEE) Cost Containment

Item Type

Action

Summary of Key Issues

Summary of Previous OSC Action

The Operational Steering Committee adopted Marin County SELPA Policy C-10 and 2025 – 2026 Independent Educational Evaluation Cost Containment at the February 4, 2026 OSC meeting.

Recommendation

The SELPA Director recommends approval of the 2026 – 2027 Independent Educational Evaluation Cost Containment

Attachments to this Agenda Item

Attachment 1: 2025 – 2026 Independent Educational Evaluation Cost Containment
Attachment 2: Draft 2026 – 2027 Independent Educational Evaluation Cost Containment

MARIN COUNTY SELPA

SELPA Policy C-10

Policies and Procedures Independent Education Evaluation

Adopted by OSC January 23, 2004
Revised, OSC, January 18, 2006
Revised, OSC, October 28, 2009
Revised, OSC, March 6, 2019
Revised, OSC, May 6, 2020
Revised, OSC, February 4, 2026

1111 LAS GALLINAS AVENUE PO BOX 4925 SAN RAFAEL, CA 94913 (415)499-5850

This policy sets forth the procedures under which students with disabilities are entitled to an Independent Education Evaluation (IEE) at public expense.

Definitions

Independent educational evaluation (IEE) means an evaluation conducted by a qualified examiner who is not employed by the Local Educational Agency (LEA) which is the District of Special Education Accountability (DSEA).

Public expense means that the LEA pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent.

Policy and Procedures

Parents have the right to an IEE at public expense if they disagree with an evaluation completed by the LEA.

Parents must indicate in writing to the LEA or inform the LEA at an IEP meeting that they:

1. Disagree with the LEA's evaluation, and
2. They are requesting an IEE at public expense.

The LEA may ask for the parent's reason(s) for disagreeing with the LEA's evaluation, but the parent is not required to provide those reasons. The LEA may offer to conduct another evaluation of its own with parent consent. If the parent does not agree to another LEA evaluation, the LEA must respond to the parent's request by ensuring an IEE is provided at public expense in a timely manner or initiate a due process hearing in accordance with this policy. The LEA may not unnecessarily delay either providing the IEE at public expense or initiating a due process hearing to defend its evaluation.

Parents may only request one publicly funded independent evaluation for each evaluation completed by the LEA. The parents must request the IEE within two calendar years of the date that the results of the LEA's evaluation were shared with the parents. The right for an IEE is not triggered until there is an evaluation by the LEA with which the Parents disagree (*Student v Lake Elsinore Unified School LEA*, OAH Case No. 2016040427)

Once the parent communicates their disagreement with the LEA's evaluation and requests an IEE at public expense in writing or at an IEP meeting, the following procedures will be followed:

1. The LEA's administrator responsible for special education will be notified.

2. The LEA will provide the parents with a copy of the Marin SELPA Policies and Procedures: Independent Education Evaluation, the option for an alternative LEA
examiner (Option A below), and options for an IEE at public expense (Options B, C, and D below) as follows:

A. An LEA staff member from another school.

B. A staff member from another LEA in the SELPA.

C. A staff member from another SELPA.

D. A private sector provider.

3. The parents will communicate to the LEA, in writing, their preferred option, OR

4. The LEA will determine whether the LEA will initiate due process to establish the appropriateness of its evaluation or proceed with obtaining an IEE.

The above procedure must be completed in a timely manner. Without unnecessary delay, the LEA must decide whether to initiate a due process hearing to show that the LEA's evaluation is appropriate or must ensure that an IEE is provided at public expense. If the LEA agrees to provide an IEE:

1. A LEA Assessment Plan is NOT completed because the LEA is not conducting the assessment nor is responsible for timelines and/or results of the IEE assessments.
2. Once the LEA and parent have agreed upon an assessor, the LEA will arrange for or initiate a contract with the examiner for the completion of the IEE. The contracted assessor will be required to meet district contractor requirements.
3. Parents will be required to sign a release and exchange of information between the IEE evaluator(s) and the LEA.

Once assessments are completed and provided to the LEA, the LEA should schedule an IEP meeting to review the IEE.

Payment/Reimbursement options for IEEs:

1. The LEA may directly contract with and directly provide the payment to the independent evaluator for the IEE. Alternatively, the LEA may issue payment to the independent evaluator for the costs of the IEE following its receipt of the items listed below.

2. Or the LEA may reimburse the parent for the costs of a procured IEE in a timely manner in accordance with the LEA's policies and procedures and in the amount no greater than the actual cost to the parent.

If the LEA determines that it will initiate a due process hearing to establish the appropriateness of its evaluation, the LEA will notify the parent of such decision in writing prior to filing a due process hearing complaint. This written notice shall include all the elements of prior written notice as required by section 300.503(b) of Title 34 of the Code of Federal Regulations.

If the parent obtains an independent educational evaluation at private expense, the results of the evaluation:

1. Must be considered by the LEA, if it meets LEA criteria, in any decision made with respect to the provision of FAPE to the student; and

2. May be presented as evidence at a due process hearing regarding that student.

If the LEA initiates a hearing and the final decision is that the LEA's evaluation is appropriate, the parents still have the right to an IEE, but not at public expense.

LEA Criteria

The criteria under which an IEE is obtained at public expense, including the location limitations for the evaluation, minimum qualifications of the examiner, and cost containment criteria, must be consistent with the criteria set forth in this policy, and consistent with the criteria that the LEA uses when it initiates an evaluation.

If the LEA observed the student in conducting the evaluation with which the parents disagree or if its assessment procedures allow in-class observations, the independent examiner will be provided with an equivalent opportunity to observe the student in the current educational setting, and to observe the LEA's proposed setting, if any. This opportunity shall also be provided if the parents obtain an evaluation at private expense.

The LEA shall define the nature and scope of an independent examiner's in-class observations consistent with the right to an equivalent opportunity to observe, but also consistent with its obligations to prevent unnecessary disruption in the class and to protect the privacy interests of other students. This may include, but is not limited to, identifying the time constraints of such observation, LEA personnel who will participate in the observation and restrictions on student/teacher interactions.

All independent educational evaluators must utilize testing and assessment materials and procedures which are selected and administered so as not to be racially, culturally, or sexually discriminatory. Tests and other assessment materials must be provided and administered in the student's primary language or other mode of communication, unless there are stated reasons why this provision and administration are not clearly feasible.

Geographic Limitations for Evaluators

Evaluators will be located within the greater Bay Area including Marin, Sonoma, Napa, San Francisco, Contra Costa, Alameda, San Mateo, and Santa Clara Counties. Evaluators outside of this area will be approved only on an exceptional basis, providing parents can demonstrate the necessity of using personnel outside the specified area. Any expenses beyond the evaluation (i.e., food, lodging, transportation, etc.) are not covered in the cost of the independent evaluation.

Minimum Qualifications for Evaluators

Evaluators with credentials other than those listed below will not be approved unless the parent can demonstrate the appropriateness of using an evaluator meeting other Qualifications. (Ed. Code 56320 (b))

Type of Assessment	Qualifications
Academic Achievement	Credentialed Special Education Teacher School Psychologist Licensed Educational Psychologist
Adaptive Behavior	School Psychologist Licensed Educational Psychologist
Assistive Technology	Credentialed or Licensed Speech/Language Pathologist Credentialed Assistive Technology Specialist Credentialed Special Education Teacher
Auditory Acuity	Licensed Educational Audiologist Licensed or Credentialed Speech/Language Pathologist
Auditory Perception (Central Auditory Processing)	Licensed Educational Audiologist Licensed or Credentialed Speech/Language Pathologist

Behavioral	School Psychologist Licensed Educational Psychologist
Cognitive	School Psychologist Licensed Educational Psychologist
Health (including neurological)	Licensed Physician Nurse
Motor	Licensed Physical Therapist Registered Occupational Therapist Credentialed Teacher of the Physically Impaired Adaptive Physical Education Teacher
Occupational Therapy	Licensed Occupational Therapist
Speech and Language	Credentialed or Licensed Speech/Language Pathologist
Social/Emotional	School Psychologist Licensed Educational Psychologist
Visual Acuity/Developmental Vision	Licensed Ophthalmologist Optometrist
Functional Vision	Credentialed Teacher of the Visually Impaired
Vision Perception	Credentialed Special Education Teacher School Psychologist
Transition	Credentialed Special Education Teacher School Psychologist Licensed Educational Psychologist

Cost Containment Criteria for Evaluations

The cost of an IEE shall be comparable to those costs that the LEA incurs when it uses its own employees or contractors to perform a similar assessment.

Costs include observations, administration and scoring of tests, report writing, and attendance in person or by phone at an IEP team meeting. Reimbursement will be in an amount no greater than the actual cost to the parent and will be subject to proof of payment.

Guidelines for all IEE costs are calculated by considering time required for the assessment and the appropriate LEA employee hourly rate. Costs above these amounts will not be approved unless the parent can demonstrate that such costs reflect unique circumstances justifying the selection of an evaluator whose fees fall outside these criteria. A school LEA will not necessarily fund the attendance of the assessor at the IEP team meeting convened to consider the IEE.

When insurance covers all or partial costs of the IEE, the LEA will request that the parent voluntarily have their insurance pay the IEE costs covered by their insurance. However, parents will not be asked to have insurance cover independent evaluation costs if such an action would result in a financial cost to the parents including, but not limited to the following:

A. A decrease in available lifetime coverage or any other benefit under an insurance policy.

B. An increase in premiums or the discontinuance of the policy; or C. An out-of-pocket expense such as payment of a deductible amount incurred in filing a claim unless the parent is willing to have the LEA reimburse them for the amount of the deductible.

As part of the contracted evaluation, independent evaluators must:

- Provide protocols of all the assessments, and
- Provide a written report prior to the IEP team meeting

Independent evaluators must agree to release their assessment information and results to the school LEA prior to receipt of payment for services. The results of the IEE will be considered in the determination of eligibility, program decisions, and placement of the student with disabilities as required by the Individuals with Disabilities Education Act.

Marin County SELPA maintains a list of assessors who satisfy the criteria for conducting individual evaluations. This list is not exhaustive and does not include all the assessors in the area who meet the SELPA's criteria for performing assessments.

EDUCATION CODE

56329 *Notice to parents or guardians; independent educational assessments; hearings; proposals for publicly financed nonpublic placements*

56506(c) *Due process rights of pupil and parent*

CALIFORNIA CODE OF REGULATIONS, TITLE 5 3022 *Assessment Plan*

UNITED STATES CODE, TITLE 20 *1415(b)(I) CODE OF FEDERAL REGULATIONS, TITLE 34 300.502 Independent Educational Evaluation*

The cost if an IEE will be limited to the table below absence of extraordinary circumstances.

Type of Assessment	Maximum Allowable Rate
Augmentative & Alternative Communication (AAC)	$4000
Academic Achievement	$4000
Bilingual Academic Achievement	*
Assistive Technology (AT)	$4000
Adapted Physical Education (APE)	$2000
Audiological Services	*
Functional Behavioral Assessment (FBA)	$4400
Health and Nursing	*
Social Emotional	$4800
Orientation and Mobility (OM)	$3800
Occupational Therapy (OT)	$2700
Physical Therapy (PT)	$3000
Psycho-Educational (Psychological Assessment with Academic Achievement)	$6200
Bilingual Psycho-Educational (Psychological Assessment with Academic Achievement)	*
Speech & Language	$3500
Bilingual Speech & Language	*
Transition	$3000

2026 - 2027 Cost Containment for Independent Educational Evaluations

The cost of an IEE will be limited to the table below absence of extraordinary circumstances. The table provides cost limitations based upon the types of assessment being conducted. Rates are reviewed and adjusted, as appropriate, annually.

Type of Assessment	Maximum Allowable Rate
Augmentative & Alternative Communication (AAC)	$4000
Academic Achievement	~~$4000~~ $3000
Bilingual Academic Achievement	*
Assistive Technology (AT)	$4000
Adapted Physical Education (APE)	$2000
Audiological Services	*
Functional Behavioral Assessment (FBA)	~~$4000~~ $4400
Health and Nursing	*
Social Emotional	$4800
Orientation and Mobility (OM)	$3800
Occupational Therapy (OT)	$2700
Physical Therapy (PT)	$3000
Psycho-Educational (Psychological Assessment with Academic Achievement)	~~$6200~~ $6400
Bilingual Psycho-Educational (Psychological Assessment with Academic Achievement)	*
Speech & Language	$3500
Bilingual Speech & Language	*
Transition	~~$3000~~ $3200

Pending Approval of the Operational Steering Committee

Annotation – Agenda Item 5.3
Operational Steering Committee
November 4, 2026

Agenda Item

5.3 Marin County SELPA Special Education Advisory Committee Nominations

Item Type

Action

Summary of Key Issues

The Operational Steering Committee approves all Special Education Advisory Committee (SEAC) nominations prior to final appointment by the Marin County Board of Education.

Summary of Previous OSC Action

None

Recommendation

The SELPA Director recommends that the Operational Steering Committee approve the Special Education Advisory Committee nominations.

Attachments to this Agenda Item

Attachment 1: Marin County SELPA SEAC Nomination – San Rafael High School District
Attachment 2: Marin County SELPA SEAC Nomination – Marin County Office of Education
Attachment 3: Marin County SELPA SEAC Nomination – Matrix Parent Network

Marin County SELPA
Special Education Advisory Committee (SEAC) Nomination Form

Please submit all nominations to your local school district office. District offices will forward all nominations to the Marin County SELPA office (PO Box 4925, San Rafael, CA 94913).

Name Arwen Brown

Address San Rafael, CA 94903

Phone _____ **District of Residence** San Rafael HSD

Areas of Interest and/or Expertise:

Arwen is most interested in getting more SEAC members to help make sure that as many special education families in Marin as possible are represented. I would also like to make sure that previous tools created by SEAC, like the Special Education Roadmap, continue to be leveraged.

Current Education/Community/Business Related Involvement:

Arwen has served as a SEAC member for her former District (Miller Creek), and has been a steadfast liaison between the school and parent community.

For Parent Nominees:

- **Children Receiving Special Education Services:** 2
- **Children Receiving General Education Services:** 1
- **Grade(s):** 9 5 3
- **Type of Education Program/Services:**

Non-Public School DHH Itinerant

Why would you like to be a member of the SEAC?

I have been a member of SEAC for quite a few years now, and I continue to be amazed at how much there is to learn about Special Education. Being the ASC liason has been an amazing opportunity, since I get to see how much goes into the administrative side. I would like to continue serving on SEAC and using this knowledge to improve relations and communication between parents and administrators by reducing the us vs them mentality that can sometimes take over, and advocating for a collaborative approach.

I would also like to prioritize finding representatives from more districts, particularly those that often remain unrepresented. I think that gaining a fuller picture of the experience of Special Education families throughout Marin is vital to making sure all students are being supported to the fullest extent possible. I would love to see SEAC become a major source of information and support for families in the Marin County SELPA.

FOR DISTRICT OFFICE USE ONLY

SUBMITTED TO: JASON SYMKOWICK

DATE RECEIVED: 9.25.26

DATE RECEIVED BY THE MARIN COUNTY SELPA OFFICE: 9.25.26

Marin County SELPA
Special Education Advisory Committee (SEAC)
NominationForm

Please submit all nominations to your local school district office. District offices will forward all nominations to the Marin County SELPA office (PO Box 4925, San Rafael, CA 94913).

Name Christina Fass

Address 1111 Las Gallinas Ave

Phone 415-479-0338 **District of Residence** _____

Areas of Interest and/or Expertise:

Christina Fass is an expert in the area of Early Childhood Education and the Marin County Office Programs.

Current Education/Community/Business Related Involvement:

Christina is a School Psychologist by profession and a current Program Manager with MCOE.

For Parent Nominees:

- **Children Receiving Special Education Services:**
- **Children Receiving General Education Services:**
- **Grade(s):**
- **Type of Education Program/Services:**

Why would you like to be a member of the SEAC?

Christina would like to be a member of SEAC to support the growth of the continuum of special education services in Marin County.

FOR DISTRICT OFFICE USE ONLY

SUBMITTED TO: STACEY TACHIKI

DATE RECEIVED:

DATE RECEIVED BY THE MARIN COUNTY SELPA OFFICE: 9/22/2026

Marin County SELPA
Special Education Advisory Committee (SEAC)
NominationForm

Please submit all nominations to your local school district office. District offices will forward all nominations to the Marin County SELPA office (PO Box 4925, San Rafael, CA 94913).

Name Birgit Switenki(Representative of Matrix Parents)

Address 2400 Las Gallinas, San Rafael, Ca.94903

Phone 415-483-6307 **District of Residence** Tam Union HS

Areas of Interest and/or Expertise:

Equity for all families with children with disabilities. Collaboration and Team Approach to Special Education. Advocacy and Self Advocacy. Advisor to parents around their children's needs and support (community based).

Current Education/Community/Business Related Involvement:

8 + years as a Matrix Parent Advisor. Currently Manager of Early Start Services. Retired social worker, Mother of a child with ID. SEAC member since 2017, serving as the chair person for the last 2 years.

For Parent Nominees:

- **Children Receiving Special Education Services:** 1
- **Children Receiving General Education Services:** 1
- **Grade(s):** 12 12
- **Type of Education Program/Services:**

Non-Public School District Operated

Why would you like to be a member of the SEAC?

I would like to continue to help support parents with their questions, concerns and needs. I would like to continue to support SEAC as a place for parents' voices and provide a forum for problem-solving and education. SEAC provides a collaborative environment to enhance and extend the appropriate options for parents and children.

FOR DISTRICT OFFICE USE ONLY

SUBMITTED TO: _____

DATE RECEIVED: _____

DATE RECEIVED BY THE MARIN COUNTY SELPA OFFICE: 9.23.26

Annotation – Agenda Item 6.1
Operational Steering Committee
November 4, 2026

Agenda Item

6.1 Fiscal Implications, Facility Obligations, and Materials and Equipment: Current Program Transfer

Item Type

Discussion

Summary of Key Issues

The Marin County Marin County SELPA's Program Transfer Policy and Procedures require the SELPA's member LEAs to be informed of any fiscal implication of a resulting Program Transfer on or before February 1st and a formal process for the transfer of materials and equipment related to the Program Transfer. Additionally, the OSC shall review a draft of a Facilities Plan which shall include pupil data that reflects the potential loss of pupils in Marin County Office of Education (MCOE) operated regionalized special education classrooms due to the Program Transfer.

Summary of Previous OSC Action

None

Recommendation

None

Attachments to this Agenda Item

Attachment 1: 2027 - 2028 Program Transfer: Marin County SELPA Member LEA Fiscal Implications
Attachment 2: 2027 - 2028 Program Transfer: Facilities Plan Impact
Attachment 3: Materials and Equipment: Program Transfer Procedures

Nicasio School District

Program Transfer Fiscal Summary For The 2027-28 School Year

Excess Costs Comparison

CURRENT EXCESS COSTS

MARIN COUNTY OFFICE OF EDUCATION

ESTIMATED SPECIAL EDUCATION PROGRAM EXCESS COSTS

Fiscal Year 2027-28

PREPARED ON: 11/3/26

ESTIMATED % AND AMOUNT OF EXCESS COST BY SETTING:

Setting	Excess		%	Excess Amt. / Setting
SDC	$11,039,184	x	78.15%	$8,627,122
RSP	$11,039,184	x	2.79%	$307,993
DIS	$11,039,184	x	19.06%	$2,104,068
	$11,039,184		100.00%	$11,039,184

EXCESS PER PUPIL COST BY SETTING:

	Excess/ Setting	Pupils	Per Pupil Cost
SDC	$8,627,122	237	$36,401.36
RSP	$307,993	13	$23,691.79
DIS	$2,104,068	524	$4,015.40
TOTAL	$11,039,184	774	

Notes: Reduced Program Staffing and RSP pupil count for Nicasio Progrm transfer

DISTRICT	NUMBER OF PUPILS *				COST BY SETTING					
	SDC	RSP	DIS	TOTAL	SDC	RSP	DIS	TOTAL COST	With Staffing Reduction	Variance Staff and RSP Reduction
BOLINAS-STINSON	-	-	1	1	$0	$0	$4,015	$4,015		
KENTFIELD	11	-	19	30	$400,415	$0	$76,293	$476,708		
LAGUNA	-	2	3	5	$0	$47,384	$12,046	$59,430	44,466.00	14,964.00
LAGUNITAS	-	-	3	3	$0	$0	$12,046	$12,046		
LARKSPUR CORTE-MADERA	13	-	20	33	$473,218	$0	$80,308	$553,526		
MILL VALLEY	5	-	10	15	$182,007	$0	$40,154	$222,161		
MILLER CREEK	31	-	53	84	$1,128,442	$0	$212,816	$1,341,258		
NICASIO	-	-	7	7	$0	$0	$28,108	$28,108	125,369.00	(97,261.00)
NOVATO	66	4	137	207	$2,402,490	$94,767	$550,110	$3,047,364	3,017,439.00	29,925.00
REED	5	-	9	14	$182,007	$0	$36,139	$218,146		
ROSS	1	-	2	3	$36,401	$0	$8,031	$44,432		
ROSS VALLEY	10	-	22	32	$364,014	$0	$88,339	$452,353		
SAN RAFAEL ELEM.	22	-	62	84	$800,830	$0	$248,955	$1,049,785		
SAN RAFAEL HIGH	22	5	61	88	$800,830	$118,459	$244,939	$1,164,228	1,126,820.00	37,408.00
SAUSALITO-MARIN CITY	16	-	35	51	$582,422	$0	$140,539	$722,961		
SHORELINE	8	-	11	19	$291,211	$0	$44,169	$335,380		
TAMALPAIS	27	2	69	98	$982,837	$47,384	$277,062	$1,307,283	1,292,319.00	14,964.00
TOTALS	237	13	524	774	$8,627,124	$307,994	$2,104,069	$11,039,184		

Nicasio School District

Program Transfer Fiscal Summary For The 2027-28 School Year

Excess Costs Comparison

-

2027 - 2028 Program Transfer: Projected Revenue Transfer

The revenue transfer formula determines the total revenue that will be subtracted from the AB 602 Base Allocation and distributed accordingly to the district proposing the transfer and all other districts in the SELPA. Each student included in the transfer has a weight[1] based on the identified needs of the student. The revenue transfer formula has been applied to the proposed transfer of eight (8) students that have mild-moderate support needs.

The total revenue transfer amount of $34,841 will be subtracted from the AB 602 Base Allocation ($9,552,745) based on the proposed transfer of eight (8) students. The Nicasio School District will receive 60% ($20,920) of the subtraction to the MCOE Base Allocation in Year 1 (2027 - 2028) school year, distributing the remaining 40% ($13,921) to all districts based on Average Daily Attendance (ADA). In Year 2 (2028 - 2029), the entire reduction will be redistributed to all districts by ADA.

[1] Mild-Moderate Per Pupil Amount: $4,335.09; Extensive Support Needs Level 1 Per Pupil Amount: $13,390.98; Extensive Support Needs Level 2 Per Pupil Amount: $16,069.18; Extensive Support Needs Level 3 Per Pupil Amount: $20,086.47.

Facilities Plan Impact: 2027 - 2028 Program Transfer

The OSC shall review a draft of the Facilities Plan, which shall include pupil data that reflects the potential loss of pupils in Marin County Office of Education (MCOE) operated regionalized special education classrooms due to the Program Transfer.

2027 - 2028 Program Transfer Pupil Data
Number of Pupils Identified in the Program Transfer: 8

Number of Identified Program Transfer Pupils Placed in a District Operated Classroom per the IEP	**Number of Identified Program Transfer Pupils Placed in a MCOE Operated Regionalized Classroom per the IEP**
8	0

The eight (8) students identified in the Program Transfer receive specialized academic instruction services in a Resource Specialist program. None of the students identified are placed in a MCOE operated regionalized classroom per their IEP.

Calculation of Impact
The Marin County SELPA's Facilities Plan groups member LEAs by Areas. When the established pupil threshold is met, each Area within the SELPA is responsible for providing the MCOE with a facility for pupils who reside within their Area and require a regionalized special education classroom placement operated by the MCOE. The Nicasio School District is the member of Area 4 which includes San Rafael Elementary School District and Miller Creek School District.

Outcome
Given this calculation, there is no anticipated impact to facility obligations for the transferring LEA or any of the SELPA's member LEAs due to the proposal of eight (8) students being removed from MCOE operated regionalized programs because of the intended Program Transfer. The eight (8) students do not require a regionalized special day class. The current Facilities Plan does not need a recalculation.

Materials and Equipment: Program Transfer Procedures

All materials and equipment utilized by the sending LEA in the program to be transferred shall be offered to the receiving LEA.

The receiving LEA may decline or accept the materials and/or equipment in whole or in part.

Any material or equipment purchased with Low Incidence funds is the property of the California Department of Education (CDE) and shall remain with the student.

Specialized equipment purchased by the sending LEA for a particular student shall remain with the student following the Program Transfer. The specialized equipment shall become the property of the receiving LEA following enrollment of the student into the receiving LEA's program/classroom.

Annotation – Agenda Item 6.2
Operational Steering Committee
November 4, 2026

Agenda Item

6.2 Supporting Innovative Practices (SIP): Blueprint for Inclusion Readiness Assessment

Item Type

Discussion

Summary of Key Issues

None

Summary of Previous OSC Action

None

Recommendation

None

Attachments to this Agenda Item

Attachment: Supporting Innovative Practices - Action Roadmap: Blueprint Readiness Brief

SUPPORTING INNOVATIVE PRACTICES · ACTION ROADMAP

Blueprint Readiness Brief

Marin COE

26–27 Fall Grantee Survey
Generated October 22, 2026

OVERALL READINESS

4.34 /6

Just above the midpoint — emerging

1 — 3.5 — 6

731 item ratings · 7 responses

Domain scores

Envisioning	4.49
Building	4.06
Implementing	4.38
Scaling Up	4.19
Sustaining	4.60

Top barriers to inclusion

agreement it is a barrier (1–4)

Human Resources	3.29
Financial Resources	3.00
Staff Turn Over	3.00
Practice	2.86

CURRENT STRENGTHS

- **Student Participation & Belonging (5.00/6)**
- **Shared Vision, Mission & Values (4.92/6)**
- **Community Partnership (4.83/6)**

AREAS FOR GROWTH

- **Data Collection (3.62/6)**
  Establish routine, partner-informed collection of inclusion data, disaggregated by student group.
- **Inclusive Scheduling, Staffing & Resources (3.63/6)**
  Build the master schedule around inclusive placement first, and align staffing and resources to inclusion goals.
- **Goal Setting & Measurement (3.79/6)**
  Set measurable inclusion goals with timelines and review progress on a fixed schedule.

EMERGING PRACTICES TO DEVELOP

- Expectations for inclusive practices are communicated clearly throughout the organization. (4.43/6) — Communicating Purpose & Urgency
- Staff hold high expectations for all students. (4.43/6) — Leadership Commitment, Mindset & Culture
- Leaders model inclusive expectations in their own practice. (4.43/6) — Leadership Commitment, Mindset & Culture

Blueprint Implementation Spotlight

Based on your Blueprint Self-Assessment scores, this is a possible place to start for your LEA / school.

☐ Envisioning ☑ Building ☐ Implementing ☐ Scaling Up ☐ Sustaining

SELECTED DOMAIN + DIMENSION

Domain: Building
Dimension: Data Collection

EVIDENCE FOR THIS CHOICE

Building is the lowest domain (4.06/6). Data Collection is its weakest dimension (3.62/6), and the lowest-rated practice is “Partners provide input into the data that is collected.” (3.29/6).

WHAT WILL BE DIFFERENT?

Inclusion data is collected routinely, with partner input, and disaggregated by group.

Annotation – Agenda Item 7.1
Operational Steering Committee
November 4, 2026

Agenda Item

7.1 Marin County SELPA Regionalized Activities to Support Inclusive Practices

Item Type

Information

Summary of Key Issues

None

Summary of Previous OSC Action

None

Recommendation

None

Attachments to this Agenda Item

Attachment 1: Marin County SELPA Regionalized Inclusion Activities
Attachment 2: Marin County Office of Education Unified Sports

Marin County SELPA Regionalized Inclusion Activities

The following LEAs have participated in one or more of the activities: Bolinas Stinson, Kentfield, Lagunitas, Larkspur Corte Madera, Marin County Office of Education, Mill Valley, Novato Unified, Reed Union, Ross Valley, and San Rafael Elementary.

Special Olympics Northern California: Unified Sports

Inclusive Sports

Friendship

Student Leadership

Belonging

Special Olympics Northern California is an inclusive sports opportunity that engages a wide range of students on school campuses. By following the simple notion that training and playing together can forge a path to friendship, Unified Sports brings students together around the principles of health, teamwork, and community. The program offers students with and without disabilities an opportunity to compete together for a common goal. Unified Sports works to create conditions that support skills development, greater inclusivity, acceptance, and integration on school campuses.

	2026-2027 Goals	2025-2026 Actuals	2024-2025 Actuals
Unified Sports Participants (Total Unified Athletes and Unified Peers)	526	526	134
Unified Sports Athletes (Special Education Athletes)	317	317	100
Unified Sports Peers (General Education Peers)	209	209	34
# of Unified Champion Schools	7	6	4
# Participating Schools	13	12	11
Total Students Impacted (Total Traditional Athletes, Unified Athletes, Unified Peers, WSE, IYL)	2,550	2,550	2,151

Sports

Basketball

Track & Field

Elementary Field Day

Annotation – Agenda Item 7.2
Operational Steering Committee
November 4, 2026

Agenda Item

7.2 Marin County SELPA Policy C-17: Policy and Procedures for Serving Students with Disabilities Parentally Placed in Private Schools

Item Type

Information

Summary of Key Issues

The California Department of Education (CDE) has issued requirements for the identification, reporting, and tracking of parentally placed private school students with disabilities following federal corrective action in four areas: consultation, Child Find, proportionate share, and complaint procedures. These changes require updates to the Marin County SELPA Policy C-17 and local reporting practices.

Summary of Previous OSC Action

None

Recommendation

None

Attachments to this Agenda Item

Attachment 1: Marin County SELPA Policy C-17: Policy and Procedures for Serving Students with Disabilities Parentally Placed in Private Schools

Attachment 2: Parentally Placed Private School Students: Policy and Procedures Revision Considerations

MARIN COUNTY SELPA

SELPA Policy C-17

Policy and Procedures for Serving Students with Disabilities Parentally Placed in Private Schools

Adopted by OSC February 2009
Revised September 25, 2009;
May 6, 2020;
October 6, 2021;
November 5, 2025

1111 LAS GALLINAS AVENUE PO BOX 4925 SAN RAFAEL, CA 94913 (415) 499-5850

The Marin County Special Education Local Plan Area (SELPA) will ensure that school districts locate and identify all children with disabilities enrolled by their parents in private, including religious, elementary schools and secondary schools, pursuant to Education Code 56170.

The SELPA will ensure that each school district will accept and consider referrals for assessment and will offer a free appropriate public education (FAPE) to such children who are determined to be eligible for special education services. These procedures are intended to ensure compliance with all federal and state laws and regulations.

Working Definitions

District: All districts located within the Marin County SELPA, excluding the Marin County Office of Education.

District of Special Education Accountability (DSEA): Known as "District of Residence (DOR)," referring to the district where the student resides.

District of Location (DOL): The district where the private school is located.

Individual Service Plan (ISP): A plan developed and implemented for each private school student with a disability who has been designated by the District of Location (DOL) to receive special education or related services.

A. Child Find, Referral and Assessment

1. The Marin County SELPA will:

    a) Provide information for local private schools about the provisions in the Federal Law for students enrolled by their parents in private schools who may be eligible for special education services. Information will include criteria for special education eligibility and special education referral procedures.
    b) Ensure that child find activities undertaken for private school students are comparable to activities undertaken for children with disabilities in public elementary and secondary schools.

2. Districts of Location (DOL) will in collaboration with the SELPA:

    a) Identify all private schools within their boundaries that have an affidavit on file with the California Department of Education (Education Code 33190) and

have six or more students enrolled.

b) Between September 1 and December 1 each year, ask private schools to list all students enrolled in the school who are eligible for special education services, with and without ISPs, and the districts of residence of those children.

c) Provide the district of special education accountability (DSEA) within the Marin County SELPA names of those students identified in each private school who are from their district.

d) Hold at least one annual meeting at which representatives of the private school (including parents) will be given an opportunity to give input about:

i) The child find process

ii) How the consultation process will operate through the school year.

iii) If the private school representatives do not attend, the information will be mailed to them.

e) Obtain written affirmation from each private school within their boundaries that they were given opportunity to participate in a timely and meaningful consultation with the district.

f) Upon request, provide a written explanation to the private school if the district disagrees with the input of the private school.

g) Follow all appropriate policies and procedures for assessment for eligibility for special education services, including:

i.) All Child Find responsibilities for a student whose DSEA is outside of Marin County. If the DSEA is located within Marin County, the DSEA will be responsible for initial and ongoing Child Find obligations following notification by the DOL to the DSEA with parent consent, unless the parent specifically requests that the DOL conduct the initial assessment..

ii.) Obtain all information from local private schools regarding pupils with suspected disabilities

iii.) Obtain the Release and Exchange of Information form from the parent and notify the DSEA.

iv.) Complete the assessment and determine eligibility if the DSEA is a district located outside of Marin County. If a Release and Exchange of Information is obtained by the DOL, the DSEA will be invited to the IEP/ISP meeting.

h) If the DSEA is a district within Marin County, and unless the parent requests assessment by the DOL, the DSEA will complete the assessment and determine eligibility.

If the parent expresses an interest in having the student attend public school, the DSEA will develop an IEP.

If the parent does not wish to consider an offer of public school, the DSEA will refer the parent back to the DOL to consider development of an Individual Service Plan. The DOL will offer an ISP and review the plan annually, as appropriate.

3. Private schools will:

a) Refer students for special education instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized.
b) Direct referrals to the district in which the private school is located (DOL) for assessment for eligibility if the DSEA is outside Marin County, or to the DSEA if the DSEA is within Marin County. c) Participate on an ongoing basis with the district in which they are located to give input on the provision of special education services

4. Students in Preschool and of Kindergarten Age (including Transitional Kindergarten):

a) Students of preschool age who attend a private school will be served by their DSEA through the IEP process if the parent consents to the full implementation of the Offer of a Free and Appropriate Public Education (FAPE).
b) Students of preschool age that attend a nonprofit private preschool connected to an elementary school may be served by the DOL through an ISP.
c) Students of kindergarten age and who are enrolled in a private kindergarten program may be served by the DOL (where the private school is located) through the ISP.

B. Guidelines for Services

Each district in the Marin County SELPA shall spend a proportionate share of federal funds to provide special education and related services to children with disabilities in private schools as to those spent on children in public schools. These funds may not be used for repair, remodeling or construction of private school facilities. Annually the SELPA Director shall inform each district of the amount of federal special education dollars to be spent on private school students (ages 6-21), based on Fall 1 Census. Each district that has private schools located within its boundaries in the Marin County SELPA shall develop guidelines regarding the special education and related services to be provided to special education eligible students in private schools. Such decisions shall be made after consulting in a timely and meaningful way with representatives of private school(s) within their boundaries and shall include:

1. Which eligible children may receive services;
2. Types of services to be provided (including direct and alternative methods of service delivery);
3. How, where and by whom the services will be provided.

The guidelines will be forwarded to the SELPA. The SELPA will make a compilation of all guidelines available to all districts within the SELPA.

C. Initial Individualized Education Program (IEP) Team Meeting

When the assessment is completed, the DSEA shall convene the initial IEP team meeting within 60 calendar days, excluding school holidays in excess of 5 days of receipt of the signed Assessment Plan. Representatives of private schools will be invited, with parent permission. If the IEP team determines that the student is eligible for special education services, the IEP team shall develop an appropriate IEP for the student, which serves as an offer of FAPE in accordance with federal and state laws and regulations. Such offer shall be recorded on appropriate IEP forms. If the parent agrees that the IEP would be the appropriate program if the child were enrolled in the public school, and consents to the IEP developed by the IEP team, the IEP shall be implemented by the DSEA without undue delay following the IEP meeting. If the parent agrees that the IEP would be appropriate but declines the IEP developed by the DSEA, the parent shall indicate in writing that they are voluntarily placing their child in a private school. An Individual Services Plan may be developed according to district guidelines by the DOL.

D. Individual Services Plan (ISP)

The ISP will be developed by the district in which the private school is located. The ISP will specify services that the district has determined it will make available, according to its guidelines. No parentally placed private school child with a disability has an individual right to receive some or all of the special education services that the child would receive if enrolled in a public school.

A representative of the private school will be invited to attend the ISP meeting. If the representative of the private school cannot attend the meeting a representative of the district of special education accountability will consult with the private school representative by other methods such as sending a copy of the ISP (with parent permission) and/or individual or conference calls.

The services provided pursuant to an ISP may be provided at a private school, including a religious school, to the extent consistent with law. Services must be provided by personnel meeting the same standards as personnel providing the services in public schools. These personnel shall be employees of the district or contractors of the district. However, the Marin County SELPA and/or the district shall not use federal special education funds to finance the existing level of instruction in a private school or to otherwise benefit the private school or the general needs of other students enrolled in the private schools.

If necessary for the child to benefit from or participate in the services provided pursuant to the ISP, a private school child with a disability must be provided transportation to/from the service location. However, districts are not required to provide transportation from home to the private school. The cost of the transportation may be included in calculating whether the district has met the obligation to spend a proportionate share of federal funds on providing special education and related services to private school children with disabilities eligible for special education services as it spends on its children enrolled in public schools.

Any specialized equipment provided to benefit private school children with disabilities shall remain the property of the district and must be able to be removed without remodeling the private school facility. It shall be returned to the district when no longer required by the child, the child is no longer enrolled in the private school, or removal is necessary to avoid unauthorized use.
The district does not have the responsibility to develop/continue an ISP if:

a) The proportionate share of federal funds has been expended, and
b) The needs of the student do not fall within district guidelines for services.

E. Review

If an ISP is developed, it will be reviewed and updated on an annual basis.

F. Due Process and Complaints

Parents will be informed that as long as they continue to place their child in a private school their rights for due process are limited.

A school district is NOT required to pay for the cost of educating a child with a disability at a private school (including special education and related services) if the school district made FAPE available to the child and the parents voluntarily elected to place the child in a private school. No parentally placed private school child is entitled to any service or amount of service that he or she would receive if enrolled in a public school. Disputes regarding

whether a school district made FAPE available to the child via the IEP, as well as disputes about identification and evaluation of parentally placed private school children with disabilities, may be resolved pursuant to due process procedures specified in the "Parent Rights for Special Education." Due process procedures DO NOT apply to disputes regarding provision of services specified in the ISP. Parents have the right to file a complaint alleging a violation by the SELPA or district in implementation of state or federal law on any other issue, according to complaint procedures specified in the "Parent Rights for Special Education."

Private Schools may submit a complaint to California Department of Education if they believe that the district did not:

1. Engage in meaningful and timely consultation.
2. Give due consideration to the view of the private school official.

G. Record Keeping

The DSEA will report through CALPADS each parentally placed private school student evaluated to determine eligibility for special education services. They also will report each child found eligible. The DOL will report through CALPADS each student who is served through an ISP.

EDUCATION CODE
56329 Notice to parents or guardians; independent educational assessments; hearings; proposals for publicly financed nonpublic placements 56506(c) Due process rights of pupil and parent

CALIFORNIA CODE OF REGULATIONS, TITLE 5
3022 Assessment Plan.

UNITED STATES CODE, TITLE 20
1415(b)(I)

CODE OF FEDERAL REGULATIONS, TITLE 34
300.502 Independent Educational Evaluation

Parentally Placed Private School Students:
Policy and Procedures Revision Considerations

AREA	CURRENT PRACTICE	POLICY REVISION CONSIDERATIONS
CHILD FIND	The District of Residence (DOR) conducts Child Find activities, responds to referrals, completes assessments, and convenes IEP meetings to determine eligibility for special education services.	State guidance creates opportunity to reconsider how Child Find, assessments, and eligibility determination are coordinated between the DOR and District of Location (DOL). Revision may include clearer delineation of responsibilities and increased collaboration among districts.
DISTRICT ROLES & RESPONSIBILITIES	Existing procedures largely place responsibility with the DOR while the DOL participates in service planning and implementation.	Policy revisions are needed to clarify responsibilities between the DOR and DOL, particularly regarding referrals, assessments, eligibility determination, enrollment, and reporting.
ENROLLMENT RECORDS	Enrollment records and special education reporting are maintained under DOR practices and procedures.	Greater emphasis on DOL enrollment responsibilities for eligible parentally placed private school students. Revisions are needed to determine how enrollment records will be established, maintained, monitored, and transferred, when appropriate.
STUDENT RECORD MAINTENANCE	Record maintenance practices are based on existing reporting requirements and local procedures.	Additional procedures may be needed to support ongoing maintenance of student records and coordination among districts.
INTERDISTRICT COLLABORATION	Collaboration occurs as needed between DOR and DOL regarding assessment, eligibility, and services.	More formalized collaboration may be necessary to ensure consistent implementation of enrollment and reporting of eligible parentally placed private school students.
DATA REPORTING	Reporting responsibilities align with current SELPA procedures and CALPADS requirements.	Revisions will need to consider expanded DOL reporting responsibilities and ensure consistent data collection and reporting practices across districts.
PROPORTIONATE SHARE	District reporting supports the calculation of federal proportionate share obligations for equitable services.	The proportionate share calculation itself does not need to change. Revised enrollment and reporting responsibilities may affect district-level data used to support proportionate share calculations.

Annotation – Agenda Item 7.3
Operational Steering Committee
November 4, 2026

Agenda Item

7.3 Marin County SELPA Special Education Advisory Committee

Item Type

Information

Summary of Key Issues

None

Summary of Previous OSC Action

None

Recommendation

None

Attachments to this Agenda Item

None