

Honorable Brendan Michael Farrell

Presiding Judge, Superior Court of California, County of Colusa

532 Oak Street

Colusa, CA 95932

Elaine Rominger, Foreperson

Colusa County Civil Grand Jury

P.O. Box 715

Colusa, CA 95932

Re: Official Response to the 2025–2026 Colusa County Civil Grand Jury Special Education Investigation Report

Dear Judge Farrell and Foreperson Rominger:

Enclosed is the official response from the Colusa County Superintendent of Schools and the Assistant Superintendent of Special Education/SELPA to the findings and recommendations contained in the 2025–2026 Colusa County Civil Grand Jury Special Education Investigation Report.

The Colusa County Office of Education (CCOE) and the CCOE Special Education Local Plan Area (SELPA) take all concerns regarding our students and special education services seriously. We have thoroughly reviewed the issues described in the report. We remain steadfast in our commitment to providing students with disabilities a free appropriate public education (FAPE), fostering meaningful parent partnerships, and adhering strictly to all state and federal special education mandates.

We appreciate the time, effort, and dedication the Civil Grand Jury devoted to examining special education in Colusa County. The individual experiences and perspectives gathered during the investigation offer valuable community insight. CCOE SELPA remains fully compliant with California Department of Education (CDE) standards and subject to ongoing state monitoring and oversight. While individual interview accounts do not reflect broad systemic noncompliance or define the overall legal integrity of our programs, we value the Grand Jury's report as a constructive tool to help us evaluate our operations, listen to our community, and continuously improve our services.

Several of the Grand Jury's recommendations align with policies and systems CCOE SELPA already has in place, while others offer important opportunities to strengthen our administrative oversight, staff support, and communication. The enclosed responses

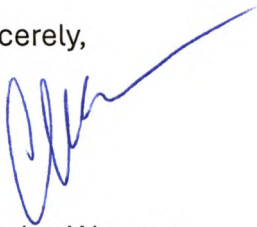
outline these existing structures and the concrete steps CCOE SELPA is taking to drive responsible enhancements. Furthermore, to expand administrative capacity, program oversight, compliance monitoring, and staff support, CCOE is actively restructuring its Special Education Department to include both an Assistant Superintendent of Special Education and a Director of Special Education.

Parents are essential, valued partners in the Individualized Education Program (IEP) process. CCOE SELPA will continue to uphold all parental rights provided under state and federal law, including active participation in FAPE decisions, review of records, receipt of prior written notice, and access to dispute resolution procedures.

CCOE SELPA will remain focused on listening, strengthening local services through established SELPA governance, and making student-centered decisions rooted in qualified staffing, appropriate facilities, and sustainable funding.

Thank you for your consideration of the enclosed responses.

Sincerely,



Charles Wayman
Colusa County Superintendent of Schools



Veronica Polk
Assistant Superintendent of Special Education/SELPA

(Pursuant to California Penal Code Section 933.05(a))

CCOE SELPA GENERAL STATEMENT

The Colusa County Office of Education (CCOE) commends the Civil Grand Jury for its dedication to public education and appreciates the opportunity to review the investigation report. The Colusa County Office of Education operates the CCOE Special Education Local Plan Area (SELPA) in full alignment with California Department of Education (CDE) legal and regulatory requirements and remains subject to ongoing state oversight. Although interview feedback provides valuable insights, it does not present a complete picture of CCOE's measurable performance, daily operations, or the overall effectiveness and integrity of its programs.

The responses below outline current operational protocols and CCOE SELPA's forward-looking action steps to strengthen documentation, transparency, staff training, and administrative oversight. These responses demonstrate a sincere commitment to listening to our community, maintaining full regulatory compliance, and implementing responsible enhancements for our students and families.

FINDING 1: Special education service disruptions occur frequently due to staffing shortages, substitute unavailability, and reassignment of support personnel, resulting in missed student IEP service minutes without consistent parent notification.

- Response: The respondent disagrees partially with the finding.
- Explanation: CCOE SELPA agrees that staffing shortages—a nationwide and statewide challenge in special education—can occasionally lead to temporary disruptions in service delivery or 1:1 support staffing. However, CCOE SELPA disagrees with the finding to the extent it asserts that service disruptions, missed minutes, or noncompliance represent a widespread or systemic norm across CCOE programs.
 - Systemic Compliance and Continuous Improvement: CCOE SELPA values all community feedback and recognizes the importance of consistent service delivery. While individual operational challenges can occur during staff absences, CCOE SELPA operates under continuous oversight by the California Department of Education (CDE). Overall service delivery and Individualized Education Plan (IEP) implementation continue to meet CDE criteria and regulatory requirements.
 - Procedural Safeguards and Dispute Resolution: While CCOE continually strives for full compliance, special education law accounts for operational

challenges by providing established compensatory education protocols and formal dispute resolution pathways. Disagreements regarding service provision can be addressed through administrative law judges (ALJs) specializing in special education who examine evidence, determine compliance under state/federal law, and order appropriate remedies if a local educational agency (LEA) is out of compliance.

Proactive Enhancements: To further strengthen service minute tracking and parent communication, CCOE SELPA has purchased licensing for AbelSpace, which is being implemented during the 2026–2027 school year, alongside the existing Special Education Information System (SEIS) Service Tracker. AbleSpace is a specialized digital platform that helps special education teams track Individualized Education Program (IEP) goals, log mandated service minutes, and monitor student progress in real time.

FINDING 2: Some Individualized Education Programs (IEPs) do not accurately reflect the services students receive or contain post-meeting documentation discrepancies, creating potential compliance and oversight risks.

- **Response:** The respondent disagrees partially with the finding.
- **Explanation:** CCOE SELPA agrees that IEP records must be strictly preserved, locked, and altered only in accordance with legal amendment requirements—a practice that CCOE special education staff, administrators, and credentialed service providers follow under state licensing standards. However, CCOE SELPA disagrees with the finding to the extent it implies that unauthorized or inappropriate alterations of Individual Education Plan (IEP) documents represent a widespread practice.
 - **Systemic Safeguards and Oversight:** In California, IEP data must be affirmed and locked in CALPADS (typically within 7 days post-meeting) for state reporting compliance. Any substantive change to an offer of a free appropriate public education (FAPE) post-meeting strictly requires parental consent through a formal IEP meeting or written amendment. CCOE administrative leads conduct biweekly to monthly audits of IEP files to guarantee record integrity and maintain compliance with CDE standards.
 - It is possible that, in some instances, post-IEP meeting documentation may not fully reflect all discussions that occurred during an IEP meeting. CCOE is not aware of any specific instances in which this has occurred. As with matters of this nature, if a concern were brought to CCOE's attention, CCOE

would investigate the circumstances and take appropriate action as warranted.

- Please also see the response to Recommendation 1.

FINDING 3: Parents reported delays in convening IEP meetings or amendments and were not consistently notified when required services were missed.

- Response: The respondent disagrees partially with the finding.
- Explanation: CCOE SELPA agrees that timely communication with parents is essential to a successful IEP team partnership. However, CCOE SELPA disagrees with the finding to the extent it suggests that statutory timelines for IEP meetings, annual reviews, triennial assessments, or Prior Written Notice (PWN) are routinely missed or disregarded.
 - State Monitoring Compliance: CDE oversight data demonstrates that CCOE SELPA consistently meets mandated special education timelines. While isolated scheduling conflicts or minor administrative delays may occur in individual cases, parents retain the explicit right to request an IEP meeting at any time, review records, and access procedural safeguards.
 - Parent Notification Requirements: Under state and federal law, formal Prior Written Notice (PWN) is required when a LEA proposes or refuses a change to a student's IEP or offer of FAPE. Routine, brief, or isolated disruptions in service delivery due to short-term absences do not constitute a formal change in placement requiring daily written notice. However, when service tracking indicates a material gap in service delivery that impacts FAPE, CCOE SELPA issues appropriate parent communication and convenes the IEP team to evaluate compensatory education.

FINDING 4: Support personnel, including paraeducators, receive minimal role-specific training, inconsistent access to student IEPs, and unclear expectations regarding behavior management and Crisis Prevention Institute (CPI) procedures.

- Response: The respondent disagrees partially with the finding.
- Explanation: CCOE SELPA agrees that continuous, role-specific professional development for all educational staff is critical to student success. CCOE SELPA appreciates the Grand Jury highlighting training accessibility and recognizes that while staff starting at the beginning of the school year participate in comprehensive fall training, an operational gap existed in standardized onboarding for support personnel hired mid-year. However, CCOE SELPA disagrees with the finding to the

extent it claims support personnel generally receive minimal training or lack necessary guidance to implement IEPs safely and effectively.

- Proactive Onboarding Solutions: All special education personnel currently participate in annual training addressing job responsibilities, legal compliance, safety, CPI, and student-specific needs. To directly close the mid-year training gap, CCOE SELPA is introducing a comprehensive five-day onboarding process for paraeducators hired during the school year starting in 2026–2027, overseen by the Assistant Superintendent of Special Education and Director of Special Education.
- Please also see the response to Recommendation 3.

FINDING 5: Site safety and supervision procedures designed to prevent student elopement vary across school campuses, creating potential safety risks.

- Response: The respondent disagrees partially with the finding.
- Explanation: CCOE SELPA agrees that safety protocols must adapt to the distinct physical layouts and operational contexts of different school sites across member districts. However, CCOE SELPA disagrees with the finding that individualized safety and supervision procedures create potential safety risks.
 - Individualized Safety Plans: When a student demonstrates unique supervision needs or elopement risks, an individualized safety/supervision plan is integrated directly into the student's IEP, communicated to site staff, and implemented consistently. CCOE SELPA will continuously evaluate and standardize internal site safety, radio communications, gate logs, and post-incident IEP review protocols.

FINDING 6: Recurring staffing shortages and an insufficient substitute pool contribute to service delivery challenges and reliance on support staff reassignment.

- Response: The respondent agrees with the finding.
- Explanation: CCOE SELPA agrees that it faces ongoing recruitment and substitute coverage challenges. This is true across California and a particular problem in rural areas and the field of special education.
 - Existing Coverage Protocols: CCOE actively manages the Colusa County Substitute Consortium for teachers and directly hires substitute paraeducators. When daily absences occur, CCOE SELPA utilizes qualified

staff and its substitute pool to cover student 1:1 supports and required IEP services.

FINDING 7: Delays occur in procuring assistive communication devices, providing home access, and training families to use adaptive software.

- Response: The respondent disagrees with the finding.
- Explanation: CCOE SELPA agrees that Augmentative and Alternative Communication (AAC) devices and assistive technology (AT) are essential components of FAPE for qualifying students. However, CCOE SELPA disagrees with the finding to the extent it asserts that systemic delays characterize CCOE's current evaluation, procurement, or home-use practices.
- Current Practice and Operating Policy: CCOE SELPA operating protocols strictly adhere to state legislation (including California Education Code § 56040.3) regarding the home use of assistive technology. Under established SELPA policies and state standards, once an IEP team determines that an AAC or AT device is required for a student to receive FAPE—including accessing homework or communication outside of school—the device is provided for both school and home use (subject to standard property agreements).
- Family Support and Training: Current CCOE SELPA practice is for parents to receive facilitated training and ongoing technical support on any communication device or adaptive software specified in the student's IEP. CCOE SELPA continually reviews its AT assessment and procurement workflows to ensure no unnecessary administrative delays occur.

FINDING 8: Local program capacity remains insufficient, resulting in some students being placed in out-of-county programs separated from their home communities.

- Response: The respondent disagrees partially with the finding.
- Explanation: CCOE SELPA agrees that certain students with highly specialized, low-incidence, or intensive needs receive special education services through out-of-county programs. However, CCOE SELPA disagrees with the finding to the extent it implies that out-of-county placements represent a failure of local program management or an inherent programmatic shortcoming.
 - Child-Centered Programmatic Quality: IEP placement decisions are driven strictly by what is programmatically and clinically best for the individual child. For students with highly specialized disabilities (e.g., severe medical needs, complex behavioral profiles, or rare low-incidence sensory

impairments), specialized facilities provide highly trained clinical specialists, dedicated adaptive equipment, and appropriate peer groups that cannot be effectively replicated in a small local classroom. Placing a student in a specialized program ensures they receive a high-quality, comprehensive offer of FAPE tailored to their exact developmental needs, rather than an isolated setting.

- **Fiscal and Governance Framework:** Under the CCOE SELPA governance structure, local school districts fund special education programs. District special education allocations cover only a fraction of total operating costs, requiring the local school districts to contribute general funds to cover the remaining special education costs. The SELPA Governance Council (which is comprised of representatives from the local school districts) continuously analyzes student enrollment, program viability, facility availability, and sustainable funding to determine whether establishing new specialized local programs is appropriate.
- **Demographic Realities:** In smaller, less-populous counties like Colusa, low-incidence student populations rarely reach the critical threshold required to make dedicated local specialized programs fiscally, instructionally, or socially viable for the children enrolled. In such instances, out-of-county placements represent the legally mandated, programmatically sound mechanism under Education Code § 56205 to ensure students receive FAPE in the proper specialized setting. CCOE SELPA and the SELPA Governance Council continually monitor local enrollment and evaluate local capacity opportunities whenever student needs and sustainable resources support doing so.

PART 3: RESPONSES TO RECOMMENDATIONS

(Pursuant to California Penal Code Section 933.05(b))

RECOMMENDATION 1: Implement a written policy to finalize, lock, and preserve IEPs immediately post-meeting, and document any subsequent changes only via formal amendments or new meetings with parents.

- Response: The recommendation will be implemented.
- Details:
 - In California, IEP meetings must be conducted within statutory timelines and, once held, are affirmed and submitted to CALPADS (typically within 7 days) to meet CDE compliance oversight. Parental consent is not required to affirm/lock an IEP for state reporting purposes.
 - Any post-meeting modification to an IEP always requires parental consent and must be executed through a formal IEP amendment or a newly convened IEP meeting, documented in official IEP paperwork and team notes.
 - Credentialed staff, administrators, and related-service providers are bound by legal, ethical, and professional licensing standards regarding record integrity and confidentiality. Parents retain full procedural rights to review records, request meetings, and exercise safeguards.
 - CCOE will incorporate these legal requirements into a written policy.
 - Please also see the response to Finding 2.

RECOMMENDATION 2: Establish a mandatory tracking system for service delivery, missed minutes of service, and timely parent notifications, while developing corrective action plans and providing compensatory education for affected students.

- Response: The recommendation has not yet been fully implemented but will be implemented in the future.
- Details:
 - CCOE SELPA has purchased licensing with AbleSpace, a specialized digital platform that helps special education teams track Individualized Education Program (IEP) goals, log mandated service minutes, and monitor student

progress in real time, to improve the tracking of service minutes and compliance monitoring, which is being implemented during the 2026–2027 school year. Additionally, related-service providers (OT, SLP, PT, Nurses, Psychologists) utilize the SEIS Service Tracker to document service delivery.

- Case managers and the CCOE SELPA office oversee IEP implementation. Service providers communicate progress and service delivery to parents as outlined in the student's IEP. Formal changes to an IEP offer of FAPE prompt Prior Written Notice (PWN) from the SELPA office.
- CCOE SELPA remains under continuous CDE compliance monitoring. When service-delivery tracking indicates a potential gap in required services, the circumstances are reviewed through IEP and compliance protocols to evaluate whether corrective action or compensatory education is warranted.
- Timeframe for Implementation: Full rollout and operational implementation of the AbleSpace service minute tracking system across CCOE SELPA programs will be completed during the 2026–2027 school year.

RECOMMENDATION 3: Provide annual training for all special education staff, administrators, and support personnel on legal IEP requirements, record-alteration prohibitions, confidentiality laws, and consequences of noncompliance.

- Response: The recommendation has not yet been fully implemented but will be implemented in the future.
- Details:
 - Special education personnel currently participate in dedicated annual training and workdays at the start of each school year covering special education law, SELPA procedures, IEP supports, behavior support/CPI, confidentiality, and safety protocols.
 - Addressing Mid-Year Hiring Gaps: CCOE SELPA recognizes that while fall onboarding covers staff present at the start of the school year, a gap existed for support staff hired mid-year. To address this directly, CCOE SELPA is establishing a formalized five-day onboarding process specifically for paraeducators hired during the school year, beginning in the 2026–2027 school year. This onboarding will cover job responsibilities, SELPA procedures, student-specific supports, IEP implementation, behavior management, CPI expectations, safety, confidentiality, and professional conduct.

- To enhance overall oversight, the Assistant Superintendent of Special Education and newly created Director of Special Education will oversee and coordinate all professional development and mandatory training streams for department personnel.
- Timeframe for Implementation: The new five-day onboarding process for mid-year paraeducator hires will be fully implemented during the 2026–2027 school year.

RECOMMENDATION 4: Designate an independent compliance officer, independent monitor, or CCOE review committee responsible for IEP integrity oversight, monitoring adherence to special education laws, and direct reporting to the governing board.

- Response: The recommendation has not yet been fully implemented but will be implemented in the future.
- Details:
 - Administrative Reorganization and Leadership Expansion: CCOE is currently executing an administrative reorganization of its Special Education Department to expand leadership capacity, program oversight, and compliance monitoring. This structural change includes restructuring department leadership to add a Director of Special Education to work alongside the Assistant Superintendent of Special Education.
 - New Internal Checking and Auditing Process: As part of this administrative reorganization, CCOE SELPA is establishing a new internal review and checking process. The administrative review team—led by the Assistant Superintendent and the new Director—will serve as the internal review committee responsible for IEP integrity, biweekly-to-monthly document audits, and legal compliance oversight.
 - Governance and External Oversight: This administrative review process will report progress, compliance data, and program updates through established SELPA governance structures (SELPA Executive Committee and SELPA Council) and, where appropriate, to the County Superintendent and Colusa County Board of Education. Independent external oversight also continues under the California Department of Education (CDE) pursuant to Education Code § 56205.
- Timeframe for Implementation: Full administrative reorganization and the launch of the new internal IEP review checking process will be completed during the 2026–2027 school year.

RECOMMENDATION 5: Report back to the designated oversight body regarding status and documentation of full or substantial compliance.

- Response: The recommendation has not yet been fully implemented but will be implemented in the future.
- Details:
 - Following the administrative reorganization of the Special Education Department, the Assistant Superintendent and new Director of Special Education will provide regular compliance, IEP auditing, and service-delivery tracking updates to the SELPA Governance Council on a scheduled, term-by-term basis. Progress updates will also be shared with the County Superintendent as needed.
- Timeframe for Implementation: Regular compliance reporting to the SELPA Governance Council will be initiated during the 2026–2027 school year.

RECOMMENDATION 6: Establish a credentialed substitute bank and permanent floaters to cover daily absences and maintain coverage protocols so one-on-one supports are not deviated from.

- Response: The recommendation is partially implemented because CCOE operates a credentialed substitute bank and maintains coverage protocols so one-on-one supports are not deviated from, but there are no plans to create permanent floating substitutes.
- Details:
 - Existing Substitute Pool: CCOE already operates the Colusa County Substitute Consortium to maintain a centralized pool of credentialed substitute teachers across the county, while also directly employing substitute paraeducators and conducting active recruitment.
 - Coverage by Qualified Personnel: One-on-one support is an individualized service specified in a student's IEP rather than a duty tied to a single specific employee. When absences occur, CCOE SELPA manages coverage protocols utilizing qualified, background-cleared staff and substitute personnel to maintain required 1:1 student supports.
 - Permanent "Floater" Substitutes: Permanent "Floater" Substitutes are not necessary to execute these coverage protocols, and there are currently no

plans to create such positions. However, CCOE and the CCOE SELPA Governance Council continually review countywide program needs, staffing structures, and resources, and could decide to evaluate or pursue Permanent "Floater" Substitute positions in the future if determined necessary, but there are no plans to do so at this time.

RECOMMENDATION 7: Standardize site safety and elopement policies, require post-incident IEP reviews, and ensure immediate parental notification.

- Response: The recommendation has been implemented.
- Details:
 - Individualized safety and supervision plans (including elopement mitigation) are developed through the IEP team process, communicated to all relevant site personnel, and embedded directly into the IEP.
 - CCOE SELPA regularly reviews internal site safety, radio protocols, and incident escalation procedures. Following any significant safety incident, the student's safety plan is reviewed, parents are notified promptly, and the IEP team reconvenes as necessary to evaluate support levels.

RECOMMENDATION 8: Expand local capacity and timely outside placements where necessary, while providing home devices and parent training for adaptive communication needs.

- Response: The recommendation has been implemented regarding assistive technology and parent training. Local program capacity is continually analyzed, and new programs could be created in the future which could reduce out-of-County placements, but there are no plans to expand local capacity by creating new special education programs at this time.
- Details:
 - Assistive Technology / Communication (Implemented): When an evaluation identifies a need for Augmentative and Alternative Communication (AAC) or adaptive technology, devices are provided for home and school use (upon execution of standard property agreements). Parents receive resources and facilitated training on devices and software as designated by the IEP team.
 - Program Capacity and Ongoing Analysis: In accordance with Education Code § 56205, CCOE SELPA maintains access to a full continuum of placement options based on individualized student need in the Least Restrictive

Environment (LRE). The CCOE SELPA and SELPA Governance Council continually analyze student enrollment, local program viability, staffing availability, facilities, and fiscal sustainability to determine whether expanding or creating dedicated local programs is viable and appropriate. While state law requires access to appropriate placements, it does not require every specialized program to be physically housed within every local community.

- Please also see the response to Finding 8 describing the fiscal and governance structure of the SELPA.