



POWAY UNIFIED SCHOOL DISTRICT  
13626 Twin Peaks Road  
Poway CA 92064-3034

**SPECIAL EDUCATION LOCAL PLAN AREA  
ASSURANCE STATEMENT FOR POWAY UNIFIED SCHOOL DISTRICT  
AS A SINGLE DISTRICT SELPA**

**FREE APPROPRIATE PUBLIC EDUCATION (FAPE)**

It shall be the policy of this SELPA/District that a free appropriate public education is available to all children residing in the SELPA between the ages of 3 and 21 inclusive, including children with disabilities who have been suspended or expelled from school. Appropriate education is that combination of educational and related service(s) as determined on an Individualized Education Plan (IEP) that meets the unique needs of each individual in order to benefit from his/her access to educational opportunities.

**FULL EDUCATIONAL OPPORTUNITY**

It shall be the policy of this SELPA/District that all pupils with disabilities have access to the variety of educational programs and services available to non-disabled pupils including nonacademic and extra-curricular services and activities.

**CHILD FIND**

It shall be the policy of this SELPA/District that all children with disabilities, including children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services are identified, located and evaluated.

**INDIVIDUALIZED EDUCATION PROGRAM (IEP)**

It shall be the policy of this SELPA/District that an Individualized Educational Program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program.

**LEAST RESTRICTIVE ENVIRONMENT**

It shall be the policy of this SELPA/District that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment, occurs only when the nature or severity of the disability of the child is such that education in regular classes with the use of supplemental aids and services cannot be achieved satisfactorily.

**PROCEDURAL SAFEGUARDS**

## PROCEDURAL SAFEGUARDS

It shall be the policy of this SELPA/District that children with disabilities and their parents shall be provided with safeguards, throughout the identification, evaluation, placement process, and the provision of a free appropriate public education to the child.

## ANNUAL/TRIENNIAL REASSESSMENT

It shall be the policy of this SELPA/District that a review will be conducted on at least an annual basis to review the child's progress. This review shall include, but is not limited to, the achievement of annual goals, the appropriateness of placement, and/or to make any necessary revisions.

This SELPA/District shall conduct a reassessment of each child with a disability at least once every three years, or more frequently, if conditions warrant a reassessment or if the child's parent or teacher requests a reassessment and a new Individualized Education Plan (IEP) to be developed.

## CONFIDENTIALITY

It shall be the policy of this SELPA/District that the confidentiality of personally identifiable data information as records maintained by the LEA relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction.

## PART C, TRANSITION

It shall be the policy of this SELPA/District that children participating in Early Intervention Programs (IDEA, Part C) and who will participate in preschool programs (IDEA, Part B) experience a smooth and effective transition between these programs.

## PRIVATE SCHOOLS

It shall be the policy of this SELPA/District to assure that children with disabilities voluntarily enrolled by their parents in private school shall receive special education and related services in accordance with local procedures. The required proportion of federal funds received will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents.

## COMPLIANCE ASSURANCES

It shall be the policy of this SELPA/District that the local plan shall be adopted by the Poway Unified School District and is the basis for the operation and administration of special education programs; and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act, Section 504 of Public Law and the provisions of the California Education Code, Part 30.

## GOVERNANCE

It shall be the policy of this SELPA/District to support and comply with the provisions of the governance structure and any necessary administrative support to implement the plan.

## COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT (CSPD)

It shall be the policy of this SELPA/District that it will support and assist the state's efforts and activities to ensure an adequate supply of qualified special education, general education, and related services personnel.

## PERSONNEL STANDARDS

It shall be policy of this SELPA/District to make an ongoing, good faith effort to recruit and hire appropriately and adequately trained personnel, as defined by state standards to provide special education and related services to children with disabilities. Where there is a shortage of such personnel, the most qualified individuals available who are making satisfactory progress toward completing applicable coursework necessary to meet state standards, shall be assigned.

## PERFORMANCE GOALS AND INDICATORS

It shall be the policy of this SELPA/District to comply with the performance goals and indicators developed by the state and provide data as required by the state.

## PARTICIPATION IN ASSESSMENTS

It shall be the policy of this SELPA/District that students with disabilities are included in general state and district-wide assessment programs, with appropriate accommodations, where necessary. For those children with disabilities who cannot participate, alternate assessment will be conducted.

## SUPPLEMENTATION OF STATE/FEDERAL FUNDS

It shall be the policy of this SELPA/District to include this information in the Annual Budget Plan submitted annually to the state.

## MAINTENANCE OF EFFORT

It shall be the policy of this SELPA/District to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement state, local and other federal funds and not to supplant those funds; and will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal law and regulations.

PUBLIC PARTICIPATION

It shall be the policy of this SELPA/District that prior to its adoption of policies and procedures, the SELPA/District shall make the policies and procedures available to the general public, hold public hearings and provide an opportunity for comment by the general public.

SUSPENSION/EXPULSION

It shall be the policy of this SELPA/District that data on suspension and expulsion rates will be provided in a manner prescribed by the state.

PART C

It shall be the policy of this SELPA/District to submit Local Interagency Agreements to the state as part of the Annual Service Plan.



In accordance with federal and state laws and regulations, the Poway Unified SELPA ensures that policies and procedures covered by this assurance statement are on file at the District and SELPA office.

Be it further resolved that the superintendent/designee shall administer the local implementation of procedures, in accordance with state and federal laws, rules and regulations, which will ensure full compliance.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_

Yeas: \_\_\_\_\_ Nays: \_\_\_\_\_

Signed: \_\_\_\_\_  
President of Board of Education, Poway Unified School District

Signed: \_\_\_\_\_  
Superintendent, Poway Unified School District



Poway Unified Special Education Local Plan Area  
(Revised – February 2007)

## Description of Governance and Administration of the Local Plan

### Legal References

Federal Reference(s): 20 USC 1412 (a), 1413 (a)(1)(5)

State Education Code Reference(s): 56205(a)(b)(5)(12), 56001(f), 56190-4, 56195.1(b)(c), 56195.3, 56195.9, 56205(b)(4), 47640-47647

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### Purpose:

The Poway Unified SELPA is a single district SELPA that is organized to provide general and special education services and programs within its jurisdiction. The function of the Special Education Local Plan Area and participating agencies is to provide a quality educational program appropriate to the needs of each eligible child with a disability who resides within the Local Plan Area and to those eligible individuals who are residents of other SELPAs who may be in need of services and who, in accordance with the provisions of the InterSELPA Memorandum of Understanding, attend programs in this region.

### Governance:

The **Board of Education** is responsible for the provision of special education services and programs within the SELPA.

#### *RESPONSIBILITIES OF THE BOARD OF EDUCATION*

The members of the Board of Education are elected officials of the Poway Unified School District (see Appendix A-1) and shall:

1. Approve policies for use in this District/SELPA
2. Grant final approval of the annual budget and service plans
3. Grant final approval for hiring certificated and classified personnel
4. Appoint members of the Community Advisory Committee (CAC)
5. Consider appeals of unresolved complaint issues under the Uniform Complaint Procedures outlined in District Administrative Procedures (see Appendix A-2)
6. Ensure compliance with all elements of the Local Plan.

The **District Superintendent/Designee** has the executive responsibility for the implementation and operation of this Local Plan for Special Education and is directly

responsible to the elected officials of the Poway Unified School District Board of Education. The Associate Superintendent shall serve as the Superintendent's Designee and as such shall fulfill all executive responsibilities.

#### *RESPONSIBILITIES OF THE SUPERINTENDENT/DESIGNEE*

The Superintendent/Designee of the Poway Unified School District/SELPA shall:

1. Review proposed policies
2. Review the efficiency and effectiveness of resource allocations such as personnel, facilities, and equipment
3. Ensure compliance with state and federal requirements
4. Review planning documents and annual reports related to present and future services and programs of the Local Plan.

The **Executive Director of Special Education** assumes overall management responsibility for implementation of the Local Plan and reports directly to the Associate Superintendent. The Executive Director is supervised and evaluated by the Associate Superintendent. The hiring process of the administrator of this local plan area is consistent with the Poway Unified School District hiring policies and procedures outlined in the administrative policies and procedures of the District (see Appendix A-3).

#### *RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR*

1. Serve as the SELPA Director of the Poway Unified SELPA
2. Develop the annual budget and service plan
3. Allocate resources, monitor the use of state, federal and local funds for special education programs
4. Develop policies, procedures and guidelines for state and federal statute requirements for special education
5. Serve as liaison to Community Mental Health, Regional Center and California Children's Services and other public and private agencies
6. Serve as Liaison to the Community Advisory Committee
7. Monitor compliance with state and federal law
8. Assume overall management responsibility for the operation and budget of the special education department
9. Manage formal complaints, due process and mediation procedures
10. Ensure the provision of services of students with disabilities in charter schools
11. Prepare and submit all program and fiscal reports for the SELPA and manage the CASEMIS data system to comply with all state requirements
12. Assume oversight responsibility for the implementation, revisions of all Interagency Agreements, and Memorandums of Understanding operated by the District/SELPA
13. Supervises and evaluates staff employed by the District in support of the Local Plan.

The **Directors of Special Education** are directly responsible for the daily operation of the District/SELPA special education programs and services. The directors report directly to, and are evaluated by, the Executive Director of Special Education.

## *RESPONSIBILITIES OF THE DIRECTORS OF SPECIAL EDUCATION*

1. Recruitment, training and guidance for specialized staff operating programs
2. Develop/maintain a staffing plan within the budget framework
3. Provide instructional leadership in the development of quality programs and services that align with the District's strategic plan
4. Provide technical assistance to school site administrators on compliance and due process issues
5. Provide direct supervision and evaluation to program specialists and itinerant support staff directly assigned to the special education office
6. Assist in the informal resolution of complaints and due process issues.

### **Regionalized Services**

Under the direct supervision of the directors of special education, the program specialists provide leadership, guidance and support to the special education programs within the SELPA. A program specialist is a specialist who holds a Masters Degree and a valid special education credential with a minimum of five years of advanced training and related experience in the education of individuals with disabilities. They have specialized in-depth knowledge in one more disability areas including preschool or career vocational development.

## *RESPONSIBILITIES OF PROGRAM SPECIALISTS*

1. Observe, consult and assist special education teachers in the provision of special education and related services
2. Plan programs, coordinate curriculum and assist in evaluating the effectiveness of special education programs
3. Train and provide technical support to staff and parents
4. Ensure that students are provided a free and appropriate education within the SELPA
5. Serve as administrative designee at Individualized Education Program (IEP) meetings
6. Problem solve with school site staff to ensure that students have full educational opportunity
7. Coordinate services within the IEP process with other agencies
8. Assist with nonpublic, nonsectarian and state school placements
9. Provide leadership in the transition of students from level to level.

The **Community Advisory Committee (CAC)** serves in an advisory only capacity to the Special Education Local Plan Area and the Board of Education. Recommendations incorporate professional, community and parent input. These recommendations are made through the District liaison to the CAC at the regularly scheduled meetings, through position papers, correspondence or work groups. The CAC presents an annual report of activities to the Board of Education.

## *COMPOSITION OF THE COMMUNITY ADVISORY COMMITTEE*

The Community Advisory Committee shall be composed of parents of individuals with exceptional needs enrolled in public or private schools, parents of other students enrolled in schools, students and adults with disabilities, general and special education teachers, other school personnel, representatives of public and private agencies and persons concerned with the needs of individuals with exceptional needs. The majority of the committee is composed of parents of students enrolled in schools within the Local Plan Area including charter schools and a majority of parents of students with exceptional needs. The maximum membership for the Community Advisory Committee in Poway Unified is 15. CAC members are appointed by the Board of Education. (See Appendix A-4.)

## *PROCEDURES FOR APPOINTMENT OF MEMBERS OF THE COMMUNITY ADVISORY COMMITTEE*

1. Terms of appointment are for at least two years and are annually staggered to ensure that no more than half of the membership serves the first year of the term in any one year
2. The CAC shall nominate and recommend appointment to the Board of Education
3. The committee solicits nominations to ensure balanced composition from a variety of grade levels, disability areas and ethnic backgrounds
4. The executive committee of the CAC (chair, co chair, and District liaison) screen candidates for suitability and willingness to serve
5. A slate of officers/members is submitted to the CAC for ratification
6. The District liaison submits the ratified list of officers/members to the Board of Education for approval before the beginning of the next school year.

## *RESPONSIBILITIES OF THE COMMUNITY ADVISORY COMMITTEE*

1. Advise the SELPA on the development, amendment and revision of the Local Plan
2. Recommend annual priorities to be addressed in the Local Plan
3. Assist in parent education and in recruiting parents who may contribute to the implementation of the Local Plan
4. Encourage community involvement in the development and review of the Local Plan
5. Support activities on behalf of individuals with exceptional needs
6. Assist in the development of parent awareness of the importance of regular school attendance.

## *PUBLIC INPUT IN COMMUNITY ADVISORY COMMITTEE MEETINGS*

The agenda for each Community Advisory Committee meeting contains a section for public comment. This section provides an opportunity for members of the public to share information or concerns not placed anywhere else on the agenda. Public comment is limited to three minutes per speaker. If a member of the community would like to have an item placed on the regular agenda under the public comment section, so that more time can be provided, this can be done by sending a request in writing to the Executive Director of Special Education ten days prior to the scheduled meeting.



Individuals wishing to discuss concerns regarding District personnel issues should follow District policies and procedures available in the Personnel Office. Individual student issues should be addressed through the administrative remedies available under the Individuals with Disabilities Education Act (IDEA). The committee in this section takes no action.

### **Monitoring of the Local Plan and Policy Making Process**

The Executive Director of Special Education is directly responsible for ensuring the appropriateness of federal, state and local funds allocated for special education programs. The annual budget for the District is developed through a collaborative process in Superintendent's cabinet. The Board of Education grants final approval of the District's budget. Both the annual budget and service plan for the District are reviewed, at least annually, by the Issues and Policies Committee, the Community Advisory Committee and Superintendent's Cabinet. Program and fiscal reports required for the Special Education Local Plan Area are completed by the Executive Director of Special Education. Some fiscal reports are completed by the Chief Financial Officer and reviewed by the Executive Director of Special Education.

All policies implemented in this single district SELPA are developed consistent with the Poway Unified School District Administrative Procedures (see Appendix A-5). In addition, the Issues and Policies Committee provides input on policy and budget development.

### **Amendments to the Local Plan**

Changes or amendments to the permanent portion of the local plan will be considered during the annual service and budget plan process. The Poway Unified Board of Education may adopt amendments to the permanent portion of the local plan on an "interim" basis not to exceed one calendar year. The policy would become permanent subsequent to approval by the State Board of Education. Otherwise, local plans need to be amended only when there is a change in federal or state law or regulation, there is a new interpretation by the courts or there is an official finding of noncompliance with federal or state law or regulation.

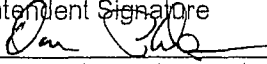
The Poway Unified SELPA has developed a process for choosing representatives to participate in the development of the Local Plan. The groups they represent select them for participation in the **Issues and Policies Committee**. This group is composed of administrators, general and special education teachers, psychologists, program specialists, speech pathologists and members of the Community Advisory Committee. In some instances the CAC may select parents to represent them. The scope of the work of this committee extends beyond the Local Plan development and requires a two-year commitment.

## *RESPONSIBILITIES OF THE ISSUES AND POLICIES COMMITTEE*

1. Participate in the development/review of the Local Plan
2. Participate in the review of the annual budget and service plan
3. Review the statute requirements of state/federal law and propose procedural changes
4. Provide ongoing input into the development of programs and services within the SELPA.

Members of the Issues and Policies Committee are nominated and selected by their peers. Members from the community are nominated and selected by the Community Advisory Committee. The committee meets two times per year. The annual service and budget plan are reviewed at both meetings. The committee reviews newly adopted policies and procedures, makes recommendations for change, and participates in program development.

CERTIFICATION OF ANNUAL SERVICE AND BUDGET PLAN

SELPA Code 3711-68296	SELPA Name Poway Unified	Submission Date June 2007 (Revised 12/07)
1. Check (✓) mark one, as applicable: <input checked="" type="checkbox"/> Single District <input type="checkbox"/> Multiple District <input type="checkbox"/> District/County		
2. CERTIFICATION BY AGENCY DESIGNATED AS ADMINISTRATIVE UNIT FOR THIS SELPA		
SELPA Name Poway Unified	Name/Title of Administrative Unit Superintendent (Type) Donald A. Phillips	Telephone Number (858) 748-0010 Ext. 2550
Street Address 13626 Twin Peaks Road	Superintendent Signature 	
City Poway CA	Name/Title SELPA Director (Typed) Wendy Smith-Rogers	Telephone Number (858) 668-4135
ZIP 92064-3034	Street Address of SELPA Director 13626 Twin Peaks Road	City Poway CA ZIP 92064-3034


3. Certification of Governance Body Approval of Annual Service and Budget Plan pursuant to Education Code Section 56205(b) (1) and (2).

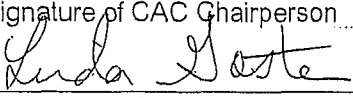
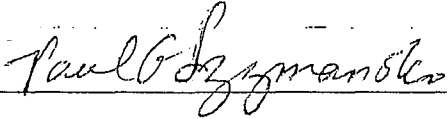
This certifies that an Annual Service and Budget Plan was developed according to the SELPA's local plan governance and policy making process. Notice of this public hearing was posted in each school/school district within the SELPA at least 15 days prior to the hearing.

In accordance with federal and state laws and regulations, POWAY SELPA ensures that policies and procedures covered by this assurance statement are on file at the SELPA Office and each LEA office.

Adopted this 10 day of December, 2007

Yeas: 5 Nays: 0

Signed:  Superintendent  
Name Title of Authorized Signer

CERTIFICATION OF COMMUNITY ADVISORY COMMITTEE (CAC)	
I certify that the CAC has had at least 30 days to review the plan prior to submission of the plan to the Superintendent for approval. E.C. 56205 (b)(6)	
Signature of CAC Chairperson <u></u> <u></u>	Date <u>Jan 8 2008</u>
Name of Chairperson Paul Szymanski and Linda Gasten	Phone Number (619) 699-5078 and (858) 668-3506

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Received by the Superintendent of Public Instruction: Date: \_\_\_\_\_ By: \_\_\_\_\_