



Yinghua Academy Total Special Education System (TSES)

This document serves as the Total Special Education System Plan for Yinghua Academy in accordance with Minnesota Rule 3525.1100. This plan also includes an assurance for compliance with the federal requirements pertaining to districts' special education responsibilities found in United States Code, title 20, chapter 33, sections 1400 et seq., and Code of Federal Regulations, title 34, part 300. This document is a companion to the Application for Special Education Funds – Statement of Assurances (ED-01350-29).

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I. Child Study Procedures

The district's identification system is developed according to the requirement of nondiscrimination as Yinghua Academy does not discriminate in education on the basis of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability.

A. Identification

Yinghua Academy has developed systems designed to identify pupils with disabilities beginning in Kindergarten through 8th grade.

The district's team will determine that a child from Kindergarten through 8th is eligible for special education when:

- A. The child meets the criteria of one of the categorical disabilities or
- B. Yinghua Academy's plan for identifying a child with a specific learning disability is consistent with Minn Rule 3525.1341. Yinghua Academy implements two interventions prior to evaluation unless the parent requests an evaluation or the team waives the requirement due to urgency. Based upon information in the Evaluation Report and the student file, a student has a Specific Learning Disability and is in need of special education and related services when the student meets the criteria set forth in sections A, B, and C attached as Appendix I.

B. Evaluation

The team shall conduct an evaluation for special education purposes within a reasonable time not to exceed 30 school days from the date the district receives parental permission to conduct the evaluation or the expiration of the 14-calendar day parental response time in cases other than initial evaluation, unless a conciliation conference or hearing is requested.

Yinghua Academy conducts full and individual initial evaluation before the initial provision of special education and related services to a pupil. The initial evaluation shall consist of procedures to determine

whether a child is a pupil with a disability that adversely affects the child's educational performance as defined in Minnesota Statutes, section 125A.02, who by reason thereof needs special education and related services, and to determine the educational needs of the pupil. The district proposing to conduct an initial evaluation to determine if the child qualifies as a pupil with a disability shall obtain an informed consent from the parent of the child before the evaluation is conducted. Parental consent for evaluation shall not be construed as consent for placement for receipt of special education and related services. The District will not override the written refusal of a parent to consent to an initial evaluation or re-evaluation.

Evaluation Procedures

Evaluations and reevaluations shall be conducted according to the following procedures:

- A. YINGHUA ACADEMY shall provide notice to the parents of the pupil according to Code of Federal Regulations, title 34, sections 300.500 to 300.505, which describes any evaluation procedures the district proposes to conduct.
- B. In conducting the evaluation, YINGHUA ACADEMY shall:
 - (1) use a variety of evaluation tools and strategies to gather relevant functional and developmental information, including information provided by the parent, that are designed to assist in determining whether the child is a pupil with a disability and the content of the pupil's individualized education program, including information related to enabling the pupil to be involved in and profess in the general curriculum, or for preschool pupils, to participate in appropriate activities;
 - (2) not use any single procedure as the sole criterion for determining whether a child is a pupil with a disability or determining an appropriate education program for the pupil; and
 - (3) use technically sound instruments that are designed to assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
- C. YINGHUA ACADEMY ensures that:
 - (1) tests and other evaluation materials used to evaluate a child under this part are selected and administered so as not be discriminatory on a racial or cultural basis, and are provided and administered in the pupil's native language or other mode of communication, unless it is clearly not feasible to do so;
 - (2) materials and procedures used to evaluate a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education and related services, rather than measure the child's English language skills;
 - (3) any standardized tests that are given to the child have been validated for the specific purpose for which they are used, are administered by trained and knowledgeable personnel, and are administered in accordance with any instructions provided by the producer of such tests;
 - (4) the child is evaluated in all areas of suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
 - (5) evaluation tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the pupil are provided;

- (6) if an evaluation is not conducted under standard conditions, a description of the extent to which it varied from standard conditions must be included in the evaluation report;
 - (7) tests and other evaluation materials include those tailored to evaluate specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient;
 - (8) tests are selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills, unless those skills are the factors that the test purports to measure; and
 - (9) in evaluating each pupil with a disability, the evaluation is sufficiently comprehensive to identify all of the pupil's special education and related service needs, whether or not commonly linked to the disability category in which the pupil has been classified.
- D. Upon completion of administration of tests and other evaluation materials, the determination of whether the child is a pupil with a disability as defined in Minnesota Statutes, section 125A.02, shall be made by a team of qualified professionals and the parent of the pupil in accordance with item E, and a copy of the evaluation report and the documentation of determination of eligibility will be given to the parent.
- E. In making a determination of eligibility under item D, a child shall not be determined to be a pupil with a disability if the determinant factor for such determination is lack of instruction in reading or math or limited English proficiency, and the child does not otherwise meet eligibility criteria under parts 3525.1325 to 3525.1351.

Additional requirements for evaluations and reevaluations

- A. As part of an initial evaluation, if appropriate, and as part of any reevaluation under this part, or a reinstatement under part 3525.3100, the IEP team and other qualified professionals, as appropriate, shall:
- (1) review existing evaluation data on the pupil, including evaluations and information provided by the parents of the pupil, current classroom-based assessments and observations, and teacher and related services providers observation; and
 - (2) on the basis of the review, and input from the pupil's parents, identify what additional data, if any, are needed to determine whether the pupil has a particular category of disability, as described in Minnesota Statutes, section 125A.02, or, in case of a reevaluation of a pupil, whether the pupil continues to have such a disability, the present levels of performance and educational needs of the pupil, whether the pupil needs special education and related services, or in the case of a reevaluation of a pupil, whether the pupil continues to need special education and related services, and whether any additions or modifications to the special education and related services are needed to enable the pupil to meet the measurable annual goals set out in the individualized education program of the pupil and to participate, as appropriate, in the general curriculum.
- B. The district shall administer such tests and other evaluation materials as may be needed to produce the data identified by the IEP team under item A, subitem (2).
- C. The district shall obtain informed parental consent, in accordance with subpart 1, prior to conducting any reevaluation of a pupil, except that such informed parental consent need not be obtained if the district can demonstrate that it had taken reasonable measures to obtain such consent and the pupil's parent has failed to respond.

- D. If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the pupil continues to be a pupil with a disability, the district shall notify the pupil's parents of that determination and the reasons for it, and the right of such parents to request an evaluation to determine whether the pupil continues to be a pupil with a disability, and shall not be required to conduct such an evaluation unless requested by the pupil's parents.
- E. The district shall evaluate a pupil in accordance with this part before determining that the pupil is no longer a pupil with a disability.

When restrictive procedures are used twice in 30 days or when a pattern emerges and restrictive procedures are not included in a child's individualized education program or behavior intervention plan, the district must hold a meeting of the individualized education program team, conduct or review a functional behavioral analysis, review data, consider developing additional or revised positive behavioral interventions and supports, consider actions to reduce the use of restrictive procedures, and modify the individualized education program or behavior intervention plan as appropriate. At the meeting, the team must review any known medical or psychological limitations that contraindicate the use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and document any prohibition in the individualized education program or behavior intervention plan.

Procedures for determining eligibility and placement.

- A. In interpreting the evaluation data for the purpose of determining if a child is a pupil with a disability under parts 3525.1325 to 3525.1351 and the educational needs of the child, the school district shall:
 - (1) draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and
 - (2) ensure that the information obtained from all of the sources is documented and carefully considered.
- B. If a determination is made that a child is a pupil with a disability who needs special education and related services, an IEP must be developed for the pupil according to part 3525.2810.

Evaluation Report

An evaluation report must be completed and delivered to the pupil's parents within the specified evaluation timeline. At a minimum, the evaluation report must include:

- a summary of all evaluation results;
- documentation of whether the pupil has a particular category of disability or, in the case of a reevaluation, whether the pupil continues to have such a disability;
- the pupil's present levels of performance and educational needs that derive from the disability;
- whether the child needs special education and related services or, in the case of a reevaluation, whether the pupil continues to need special education and related services; and
- whether any additions or modifications to the special education and related services are needed to enable the pupil to meet the measurable annual goals set out in the pupil's IEP and to participate, as appropriate, in the general curriculum.

C. Plan for Receiving Referrals

Yinghua Academy's plan for receiving referrals from parents is attached as Appendix II (parental referral form).

II. Method of Providing the Special Education Services for the Identified Pupils

Yinghua Academy provides a full range of educational service alternatives. All students with disabilities are provided the special instruction and services which are appropriate to their needs. The following is representative of Yinghua Academy's method of providing the special education services for the identified pupils, sites available at which service may occur, and instruction and related services are available.

Appropriate program alternatives to meet the special education needs, goals, and objectives of a pupil are determined on an individual basis. Choice of specific program alternatives are based on the pupil's current levels of performance, pupil special education needs, goals, and objectives, and must be written in the IEP.

A. Method of providing the special education services for the identified pupils:

- (1) One on one services
- (2) Small group
- (3) Direct
- (4) Indirect
- (5) Related services

B. Available instruction and related services:

- (1) Speech and language therapy
- (2) Occupational therapy
- (3) Psychological services
- (4) Deaf/Hard of Hearing services
- (5) Physical health disabilities services
- (6) DAPE
- (7) Autism Spectrum Disorder services
- (8) Social work services

III. Administration and Management Plan

Yinghua Academy utilizes the following administration and management plan to assure effective and efficient results of child study procedures and method of providing special education services for the identified pupils:

A. The following table illustrates the organization of administration and management to assure effective and efficient results of child study procedures and method of providing special education services for the identified pupils:

See Appendix III for a flowchart illustration of Yinghua Academy’s child find process.

See Appendix IV for an illustration of Yinghua Academy’s referral procedures.

See Appendix V for Yinghua Academy Pre-Referral Review Form

Staff Name and Title	Contact Information	Brief Description of Staff Responsibilities relating to child study procedures and method of providing special education services (See Appendix III and Appendix IV for more details of the Child Study Process).
Kenny Chan, Special Education Coordinator	Kenny.Chan@yinghuaacademy.org	The special education coordinator provides coordination and supervision to special education programs and ensures appropriate special education services to all students with disabilities
Rebecca Merton, Special Education Teacher	Rebecca.Merton@yinghuaacademy.org	Serves at the child find committee that meets once a week to review teacher concerns and consults teachers with pre-referral intervention strategies
Elaine Sadoff, Special Education Teacher	Elaine.Sadoff@yinghuaacademy.org	Serves at the child find committee that meets once a week to review teacher concerns and consults teachers with pre-referral intervention strategies
Ting-Wen Chen, Special Education Teacher	Ting-Wen.Chen@yinghuaacademy.org	Serves at the child find committee that meets once a week to review teacher concerns and consults teachers with pre-referral intervention strategies
Tao-yuan Li, Speech Language Pathologist	Taoyuan.li@yinghuaacademy.org	Provides speech-language services according to student IEPs and participates in child find process and pre-referral intervention process.
Meijie Goudy, Speech and Language Pathologist	Meijie.Goudy@yinghuaacademy.org	Provides speech-language services according to student IEPs and participates in child find process and pre-referral intervention process.
Esther Lee, Special Education Assistant	Esther.Lee@yinghuaacademy.org	Provides IEP paraprofessional services for academic and behavioral support.
Yu-Chia Chen, Special Education Assistant	Yu-Chia.Chen@yinghuaacademy.org	Provides IEP paraprofessional services for academic and behavioral support.
Cory Brathall, Special Education Assistant	Cory.Brathall@yinghuaacademy.org	Provides IEP paraprofessional services for academic and behavioral support.
Jeanie Huang, Special Education Assistant	Jeanie.Huang@yinghuaacademy.org	Provides IEP paraprofessional services for academic and behavioral support.
Jeremy Brewer, Director of Students and Families	Jeremy.brewer@yinghuaacademy.org	Provides early intervention and behavioral support; school-home support liaison

B. Due Process assurances available to parents: Yinghua Academy has appropriate and proper due process procedures in place to assure effective and efficient results of child study procedures and method of providing special education services for the identified pupils, including alternative dispute resolution and due process hearings. A description of these processes are as follows:

- (1) Prior written notice to a) inform the parent that except for the initial placement of a child in special education, the school district will proceed with its proposal for the child's placement or for providing special education services unless the child's parent notifies the district of an objection within 14 days of when the district sends the prior written notice to the parent; and b) state that a parent who objects to a proposal or refusal in the prior written notice may request a conciliation conference or another alternative dispute resolution procedure.
- (2) Yinghua Academy will not proceed with the initial evaluation of a child, the initial placement of a child in a special education program, or the initial provision of special education services for a child without the prior written consent of the child's parent. A district may not override the written refusal of a parent to consent to an initial evaluation or reevaluation.
- (3) A parent, after consulting with health care, education, or other professional providers, may agree or disagree to provide the parent's child with sympathomimetic medications unless medical, dental, mental and other health services are necessary, in the professional's judgment, that the risk to the minor's life or health is of such a nature that treatment should be given without delay and the requirement of consent would result in delay or denial of treatment.
- (4) Parties are encouraged to resolve disputes over the identification, evaluation, educational placement, manifestation determination, interim alternative educational placement, or the provision of a free appropriate public education to a child with a disability through conciliation, mediation, facilitated team meetings, or other alternative process. All dispute resolution options are voluntary on the part of the parent and must not be used to deny or delay the right to a due process hearing. All dispute resolution processes are provided at no cost to the parent.
- (5) Conciliation Conference: a parent has the opportunity to meet with appropriate district staff in at least one conciliation conference if the parent objects to any proposal of which the parent receives prior written notice. Yinghua Academy holds a conciliation conference within ten calendar days from the date the district receives a parent's objection to a proposal or refusal in the prior written notice. All discussions held during a conciliation conference are confidential and are not admissible in a due process hearing. Within five school days after the final conciliation conference, the district must prepare and provide to the parent a conciliation conference memorandum that describes the district's final proposed offer of service. This memorandum is admissible in evidence in any subsequent proceeding.
- (6) In addition to offering at least one conciliation conference, Yinghua Academy informs parents of other dispute resolution processes, including at least medication and facilitated team meetings. The fact that an alternative dispute resolution process was used is admissible in evidence at any subsequent proceeding. State-provided mediators and team meeting facilitators shall not be subpoenaed to testify at a due process hearing or civil action under special education law nor are any records of mediators or state-provided team meeting facilitators accessible to the parties.
- (7) Descriptions of the mediation process, facilitated team meetings, state complaint, and impartial due process hearings may be found in Yinghua Academy's Procedure Safeguard Notice, attached in Appendix VI.

IV. Special Education Advisory Council.

In order to increase the involvement of parents of children with disabilities in district policy making and decision making, Yinghua Academy has a special education advisory council.

- A. Yinghua Academy's Special Education Advisory Council is not a subgroup of Yinghua Academy Board of Directors.
- B. Yinghua Academy's Special Education Advisory Council consists of the following individuals:

- Hattie Bonds, Chairperson of Yinghua SEAC, parent of student with disability
- Susan Trombley, Secretary of Yinghua SEAC, parent of student with disability
- Kenny Chan, Special Education Coordinator (school district employee)

Yinghua Academy's Special Education Advisory Council meets three times a year, once each trimester. The operational procedures of Yinghua Academy's Special Education Advisory Council are attached as Appendix VII.

VII. Assurances ⁱ

Code of Federal Regulations, section 300.201: Consistency with State policies. Yinghua Academy, in providing for the education of children with disabilities within its jurisdiction, has in effect policies, procedures, and programs that are consistent with the State policies and procedures established under sections 300.101 through 300.163, and sections 300.165 through 300.174. (Authority: 20 U.S.C. § 1413(a)(1)).

Yes: Assurance given.

Appendix I

Yinghua Academy's Plan for Identifying Student with a Specific Learning Disability

A. Documentation of Inadequate Achievement

The child does not achieve adequately in one or more of the following areas in response to appropriate classroom instruction:

- _____ Oral Expression
- _____ Listening Comprehension
- _____ Written Expression
- _____ Basic Reading Skills
- _____ Reading Comprehension
- _____ Reading Fluency
- _____ Mathematics Calculation
- _____ Mathematical Problem Solving

AND

_____ The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability (SLD).

AND

_____ Documentation to support this finding must be both representative of the pupil's curriculum and useful for developing instructional goals and objectives. Documentation includes evidence of low achievement from the following sources, when available:

- _____ Cumulative record reviews
- _____ Class work samples
- _____ Anecdotal teacher records

- _____ Statewide and district-wide assessments
- _____ Formal, diagnostic, and informal tests
- _____ Results from targeted support programs in general education
- _____ Curriculum based evaluation results

B. Information Processing

The child has a disorder in one or more of the basic psychological processes, which includes an information processing condition that is manifested in a variety of setting by behaviors such as inadequate:

- _____ Acquisition of information
- _____ Organization
- _____ Planning and sequencing
- _____ Working memory, including verbal, visual, or spatial
- _____ Visual and auditory processing
- _____ Speed of processing
- _____ Verbal and nonverbal expression
- _____ Transfer of information
- _____ Motor control for written tasks (pencil and paper assignments, drawing, and copying)
- _____ Other: _____

C. Severe Discrepancy

The child demonstrates a severe discrepancy between general intellectual ability and achievement in at least one of the identified areas of achievement. The demonstration of a severe discrepancy shall not be based solely on the use of standardized tests. The instruments used to assess the child's general intellectual ability and achievement must be individually

administered and interpreted by an appropriately licensed person using standardized procedures. For initial placement, the severe discrepancy must be equal to or greater than 1.75 standard deviations below the mean on a distribution of regression scores for the general population at the student's chronological age.

General Intellectual Ability Assessment Measure:

Overall Composite Score: _____

Regression Score: _____

Achievement Measure:

Cluster Area	Composite Score
Oral Expression	
Listening Comprehension	
Written Expression	
Basic Reading Skills	
Reading Fluency Skills	
Reading Comprehension	
Mathematical Calculation	
Mathematical Problem Solving	

APPENDIX VII: Yinghua Special Education Advisory Council (SEAC) Operational Procedures

Name and Mission

The Special Education Advisory Council of Yinghua Academy, also known as the Yinghua Academy SEAC has as its mission:

To provide input into the decision-making process of the special education department, provide a communication link with the community at large, advocate for high-quality educational programs for all learners, and assure the implementation of Yinghua Academy's and Special Education's mission to all students attending Yinghua Academy.

Authority and Purpose

Minnesota Statute 125A.24 provides the *authority* under which the Yinghua Academy SEAC operates. According to the statute, the *purpose* of the council is to increase the involvement of parents of children with disabilities in policy and decision-making.

The purpose of the Yinghua Academy SEAC is to:

- Increase the involvement of parents of children with disabilities in policy and decision making;
- Advise the Special Education Department, Administration and School Board on policy and decisions affecting and/or related to special education;
- Recommend priorities to be addressed by the Special Education Department, Administration and School Board in their annual and strategic plan.

Advisory Capacity

The SEAC shall consult with the director of special education and/or the special education department regarding current issues, program development, parental concerns, parental involvement, and departmental priorities to ascertain best practices and identify best in class special education programming. The SEAC shall advise the Administration and the School Board of findings relative to current issues, program development, parental concerns, parental involvement, and departmental priorities relative to best practices and identification of best in class special education programming. All SEAC recommendations must be made through the consensus of designated members. An annual report of council activities and recommendations shall be presented to the Administration and the School Board each spring.

Membership

According to Minnesota Statute 125A.24, at least half of the SEAC members shall be a parent/guardian of a child with special needs. The SEAC must consist of at least seven and no more than 15 members. A member of the special education department will attend each meeting. One member of the special education department will be a voting member of the SEAC. Additional school staff may be invited by the SEAC to attend a specific meeting regarding an agenda item. All faculty and staff are welcome at any and all meetings. Individuals who are not SEAC members are welcome to attend meetings and may address an issue on the agenda only after being recognized by the chair.

Meetings

We meet three times a year, once each trimester.

Elections of Leadership & Responsibilities

The SEAC shall elect a chairperson, a vice-chairperson and a secretary, who shall each serve a one-year term. Elections shall occur annually in the spring. If any office becomes vacant, then an election for that office shall be held immediately, with the term to expire at the spring election meeting. Elections may be conducted by secret ballot, or if uncontested, then by a show of hands. Each SEAC member has one vote.

The responsibilities of the Chair include providing an agenda for each meeting, convening and facilitating the meeting, or designating a facilitator in advance of the meeting, maintaining focus on the agenda items, familiarity with the by-laws; lead development and annual review of a strategic plan, and a one-year operating plan; ensure timely reporting of the status of SEAC plans to the School Board; communicate with the broader Yinghua Community; and engage other members of the Council in various supporting tasks. These supporting tasks may include, but not be limited to: regular attendance of the School Board meetings, regular attendance of community-wide conferences, workshops, or other meetings relevant to the business of the Yinghua SEAC. The Chair may designate any one or more of these responsibilities to the Vice-Chair or other member of the SEAC.

The Vice-Chairperson will run meetings in the absence of the chairperson and will assume the responsibilities of the chairperson after his or her term has ended. The Vice Chair and Chair may split responsibilities of the Chair. Both will work cooperatively with the special education department representative to set the agenda for each meeting.

The Secretary shall attend all meetings and record all proceedings of the minutes of the members, Council and committees or groups. Preserve all documents and records belonging to the SEAC and maintain a list of all members in good standing. The Secretary shall give or cause to be given notice of all meetings of the members and all meetings of the SEAC and committees or groups, and perform other duties as may be prescribed by the SEAC or Chair of the SEAC from time to time.

The Secretary shall create, manage and publish an on-line annual calendar, and membership list with contact information.
