

New Century Academy Charter School

Total Special Education System (TSES)

This document serves as the Total Special Education System Plan for *New Century 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, 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 *New Century Academy* does not discriminate in education on the basis of race, color, creed, religion, national origin, sex, age, and marital status, status with regard to public assistance, sexual orientation, or disability.

A. Identification

New Century Academy has developed systems designed to identify pupils with disabilities beginning at grade 7 through grade 12.

The team determines that a child from grade 7 through 12 is eligible for special education services when:

- A. The child meets the criteria of one of the disability categories, as defined in Minnesota Rules; or
- B. *New Century Academy's* plan for identifying a child with a specific learning disability is consistent with Minn Rule 3525.1341. *New Century Academy* implements two interventions prior to evaluation unless the parent(s) 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.

New Century 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.

Evaluation Procedures

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

- A. New Century 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, New Century 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. NEW CENTURY 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, sub item (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
- 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. A district evaluates a pupil in accordance with federal regulation before determining that the pupil is no longer a pupil with a disability.

The district intends to use restrictive procedures. See the attached Restrictive Procedure Plan. The district follows the restrictive procedure statute, Minnesota Statute 125A.094-125A.0942.

X The district does not intend to use restrictive procedures.

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:
 - (1) Draws 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) Ensures 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 is developed for the pupil according to Minnesota Rule 3525.2810.

Evaluation report

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

- A. A summary of all evaluation results;
- B. 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;
- C. The pupil's present levels of performance and educational needs that derive from the disability;
- D. 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
- E. 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

New Century 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

New Century 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 *New Century 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. Program alternatives are comprised of the type of services provided, the setting in which services occur, and the amount of time and frequency in which special education services occur. A pupil may receive special education services in more than one alternative based on the IEP or IFSP.

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

Examples: one-on-one services, small group, direct, indirect, co-teaching, etc.

- (1) One on one services
- (2) Co-teaching
- (3) Direct
- (4) Indirect
- (5) Related Services

B. Available instruction and related services:

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

III. Administration and Management Plan.

New Century 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:

Staff Name and Title	Contact Information (phone/email/ mailing address/office location)	Brief Description of Staff Responsibilities Relating to Child Study Procedures and Method of Providing Special Education Services
Chris Kraft, Special Education Coordinator	Chris.kraft@newcenturyacademy.com	The special education coordinator provides coordination and supervision to special education programs and ensures appropriate special education services to all students with disabilities
Chris Kraft, Special Education Teacher	Chris.kraft@newcenturyacademy.com	Serves at the child find committee that meets bi-weekly to review teacher concerns and consults teachers with pre-referral intervention strategies
Josh Krych, Special Education Teacher	Josh.krych@newcenturyacademy.com	Serves at the child find committee that meets bi-weekly to review teacher concerns and consults teachers with pre-referral intervention strategies
Josh Hartelt, Special Education Teacher	Josh.hartelt@newcenturyacademy.com	Serves at the child find committee that meets bi-weekly to review teacher concerns and consults teachers with pre-referral intervention strategies
Ambrosia Doty, Special Education Teacher	Ambrosia.doty@newcenturyacademy.com	Serves at the child find committee that meets bi-weekly to review teacher concerns and consults teachers with pre-referral intervention strategies
Caitlin Usset, School Counselor	Caitlin.usset@newcenturyacademy.com	Provides Social Skill services according to students IEPs and participates in child find process and pre-referral intervention process.
Jason Becker, Director of School Services	jason.becker@newcenturyacademy.com	Provides early intervention and behavioral support; school-home support liaison and participates in child find process and pre-referral intervention process.
Leah Knutson, Speech Language Pathologist	leah.knutson@newcenturyacademy.com	Provides speech-language services according to student IEPs
Kim Sobiech, Occupational Therapist	ksobiech@hutchhealth.com	Provides speech-language services according to student IEPs
Allana Mount, Paraprofessional	Allana.mount@newcenturyacademy.com	Provides IEP paraprofessional services for academic and behavioral support.
Arial Elling, Paraprofessional	Arial.elling@newcenturyacademy.com	Provides IEP paraprofessional services for academic and behavioral support.
Brenda Rick, Paraprofessional	Brenda.rick@newcenturyacademy.com	Provides IEP paraprofessional services for academic and behavioral support.
Brittany Burdick, Paraprofessional	Brittany.burdick@newcenturyacademy.com	Provides IEP paraprofessional services for academic and behavioral support.
Jacob Springman, Paraprofessional	Jacob.springman@newcenturyacademy.com	Provides IEP paraprofessional services for academic and behavioral support.
Joe Theis, Paraprofessional	Joe.theis@newcenturyacademy.com	Provides IEP paraprofessional services for academic and behavioral support.

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) *New Century 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. *New Century 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, *New Century Academy* informs parents of other dispute resolution processes, including at least mediation 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 *New Century Academy's* Procedure Safeguard Notice, attached as Appendix IV.

IV. V. Special Education Advisory Council

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

- A. New Century Academy's Special Education Advisory Council is not a subgroup of New Century Academy's Board of Directors.
- B. New Century Academy's SEAC has a Chair Person, Vice Chairperson and a Secretary.

New Century Academy's Special Education Advisory Council meets twice times a year, during conferences. The operational procedures of New Century Academy's Special Education Advisory Council are attached as Appendix III.

VI. Assurances

Code of Federal Regulations, section 300.201: Consistency with State policies, *New Century 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.