

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

T.U., PLAINTIFF

V. CASE NO. 5:24-cv-4095-TC-TJJ

Blue Valley Board of Education, DEFENDANTS
et al.,

Blue Valley U.S.D. 229 COUNTERCLAIM PLAINTIFF

V.

T.U., and Xiaolei Xu, COUNTERCLAIM DEFENDANTS

ANSWERS

1. T.U. and Xiaolei Xu admit that T.U. has filed two due process complaints in his life against Blue Valley USD 229 (from hereinafter “BVSD”), or against any school district, for that matter, as of the date of this answer.
2. T.U. and Xiaolei Xu admit that their two due process complaints were improperly consolidated and were later improperly dismissed with prejudice by a partial Hearing Officer assigned by the Kansas State Department of Education. T.U. and Xiaolei Xu also admit that this Hearing Officer had irrevocably prejudiced their case against Blue Valley by the time she dismissed their complaint with prejudice, which would have warranted an interlocutory appeal in a court case.
3. T.U. and Xiaolei Xu admit that this Court has jurisdiction over federal claims, but lack sufficient knowledge of all the statutes cited in Paragraph 3, and hence denies the rest of

the allegations in Paragraph 3.

4. T.U. and Xiaolei Xu admit the allegations in Paragraph 4.
5. T.U. and Xiaolei Xu admit the allegations in Paragraph 5.
6. T.U. and Xiaolei Xu admit the allegations in Paragraph 6.
7. T.U. and Xiaolei Xu admit that venue is proper in this Court, but lack sufficient knowledge of the statute cited in Paragraph 7, and therefore denies the rest of the allegations in Paragraph 7.
8. T.U. and Xiaolei Xu admit that their children A.U. and D.U. enrolled in Wolf Springs Elementary (from hereinafter “WSE) after the family moved to Kansas from Hawaii in late July, 2022. They also admit that A.U. and D.U. had been studying in a Chinese Immersion Program in Hawaii before the family relocated to Kansas. They also admit that A.U. and D.U. started attending WSE at the beginning of the 2022-2023 academic year. They also admit that they made the aforementioned relocation choice because BVSD was the only school district in the region that offered a Chinese Immersion program. They also admit that during their search for a rental residence that took place right after they moved to Kansas from Hawaii, they only considered the two BVSD schools that offered Chinese Immersion for their children to attend, namely Valley Park Elementary and WSE. They also admit that they rented a residence in a location that would ensure the enrollment of their children in a school with a Chinese Immersion program, namely WSE. T.U. and Xiaolei Xu deny the rest of the allegations and inferences in Paragraph 8.
9. T.U. and Xiaolei Xu admit that they would have never made the aforementioned relocation and residence rental choices they made for their children to attend Cedar Hills Elementary (from hereinafter CHE). In addition, T.U. and Xiaolei Xu admit that on paper, CHE appears to be the “home school” for the people living in the residence they

rented at the time. T.U. and Xiaolei Xu deny the rest of the allegations and inferences in Paragraph 9.

10. T.U. and Xiaolei Xu deny the allegations and inferences in Paragraph 10. Enrollment in the Chinese Immersion program was, in practice, not subject to the permission of BVSD (see “Exhibit A” attached). No parent who wanted to enroll their children in a Chinese Immersion program was normally turned down on the grounds that their residence was outside the school territory. Similar to A.U. and D.U., many students enrolled in WSE actually lived in areas that were outside WSE’s boundaries, and these students’ “home schools” were other schools than WSE.
11. T.U. and Xiaolei admit that the concerns about safety and disruption to the education environment referred to in Paragraph 11 were a result of a hoax murder list threat that was spread by a bunch of parent Karens. They further admit that neither the principal Meaghan Graber nor the School Resource Officer who investigated the allegations found any threat on the day D.U. was secluded and banned from school. They further admit that D.U. knew nothing about a murder list, and that he did not even know what a murder list was. They further admit that there was never a physical murder list, only the oral report/lie of a nine-year-old, longtime bully of D.U., a “little Karen”, who said that she was not intimidated by D.U. and that D.U. was not serious about making a threat. They further admit that BVSD used D.U. as a scapegoat by ejecting him from WSE so that it could appease these parent Karens, relieve tensions, restore trust and faith in the district, as well as conduct damage control. T.U. and Xiaolei Xu deny the rest of the allegations and inferences in Paragraph 11.
12. T.U. and Xiaolei Xu admit that BVSD’s revocation of A.U.’s and D.U.’s so-called “transfer” was a bureaucratic trick aimed at making the family’s ejection from WSE look legitimate. As mentioned in Paragraph 10, A.U.’s and D.U.’s enrollment in the Chinese

Immersion Program was fundamentally dissimilar to a school transfer case. Moreover, pursuant to 34 C.F.R. § 300.534(b)(2) and (3), D.U. should have been afforded procedural safeguards instead of being unilaterally and abruptly transferred by BVSD following publicly humiliating announcements. Therefore, T.U. and Xiaolei Xu deny the rest of the allegations and inferences in Paragraph 12.

13. T.U. and Xiaolei Xu admit that they had been actively house-hunting since early November, 2022, and that they had been considering buying a family home instead of renting apartments for years. They further admit that their house-hunting efforts finally bore fruit in June 2023, when the lease of their first residence in Kansas was about to expire. They further admit that they had considered multiple school districts and several schools, both public and private, in several neighborhoods, during their house-hunt. They further admit that BVSD officials did not believe the family had the liberty to live wherever they wish, and hoped for the family to move out of its boundaries, so that they would not be able to tell the truth about the murder list hoax to anyone and rock the boat. T.U. and Xiaolei Xu deny the rest of the allegations and inferences in Paragraph 13.

14. T.U. and Xiaolei Xu admit that they refrained from mentioning the murder list hoax to BVSD staff when their children started attending CHE, because they had been promised a fresh start at CHE by the BVSD officials. They further admit that they believed in BVSD officials' promises of fresh start and wanted their children to leave the murder list hoax behind and be happy at CHE. They further admit that they were shattered when their children's school experiences turned out to be negative at CHE, due to the hostile environment created by the staff members who spread rumors about A.U.'s and D.U.'s WSE days and displayed prejudice against both A.U. and D.U. from day one. They further admit that they became determined to clear D.U.'s name from the murder list and expulsion allegations after a former CHE classmate harassed and assaulted D.U. in a

community pool during a play-date in early August, 2023, shortly before the 2023-2024 academic year began (see “Exhibit B” attached). They further admit that this classmate treated D.U. with extreme contempt and acted as if D.U. was not supposed to be there because he had been “expelled”. T.U. and Xiaolei Xu deny the rest of the allegations and inferences in Paragraph 14.

15. In line with their admissions above, T.U. and Xiaolei Xu deny the allegations and inferences in Paragraph 15.

16. T.U. and Xiaolei Xu admit that Liberty View Elementary (from hereinafter “LVE”) staff were instructed by the BVSD officials to make D.U. out to be a disruptive kid so that the truth about the murder list hoax could be whitewashed. They further admit that towards that aim, LVE staff consistently attempted to frame cases against D.U. by eliciting oral reports from the peers who were favored by the LVE staff, such as the son of BVSD’s HR Director Eric Punswick. They further admit that they questioned and challenged the LVE staff when they misrepresented D.U. and his behavior to achieve the aforementioned aim. T.U. and Xiaolei Xu cannot fully make sense of the out-of-context excerpts in Paragraph 16 and lack knowledge regarding the source of these excerpts. Therefore, T.U. and Xiaolei Xu deny the rest of the allegations and inferences in Paragraph 16.

17. T.U. and Xiaolei Xu admit that they filed multiple complaints with the Kansas State Department of Education (from hereinafter “KSDE”) against BVSD. They further admit that BVSD used many individuals and agencies outside its organization as proxies to whitewash the murder list hoax. They further admit that towards this aim, BVSD specifically used: the student-rights lawyer Clifford Cohen who was briefly retained by the family after the murder list hoax, to legitimize the improper and unfair actions it took against the entire family and to make it look on paper as if the family was given due

process; Tish Taylor to rubberstamp its own special education evaluations; D.U.'s Guardian Ad Litem Dennis Stanchik to shift the blame for D.U.'s truancy to D.U. and the entire family and to discredit the parents. T.U. and Xiaolei Xu further admit that BVSD aimed at appeasing the aforementioned parent Karens to relieve tensions, to restore order and faith in the district, and to conduct damage control. T.U. and Xiaolei Xu deny the rest of the allegations and inferences in Paragraph 17.

18. T.U. and Xiaolei admit the allegations in Paragraph 18 with the exception of the specific statutes cited, as they lack sufficient knowledge of these statutes.
19. T.U. and Xiaolei admit the allegations in Paragraph 19 with the exception of the specific statutes cited, as they lack sufficient knowledge of these statutes.
20. T.U. and Xiaolei Xu admit that KSDE arbitrarily interprets the special education laws and defines its jurisdiction. They further admit that KSDE's decisions and actions are informed more by its political agenda than laws. T.U. and Xiaolei deny the rest of the allegations and inferences in Paragraph 20.
21. T.U. and Xiaolei admit that T.U. filed a complaint against BVSD. They further admit that issues such as a hostile education environment that deprives a student of a meaningful education benefit is a denial of Free Appropriate Public Education (from hereinafter "FAPE") under The Individuals With Disabilities Education Act (from hereinafter "IDEA"), and hence falls under KSDE's jurisdiction (Office of Special Education and Rehabilitative Services, 2013 (see "Exhibit C" attached); T.K. v. New York City Department of Education, 32 F. Supp. 3d 405 (E.D.N.Y. 2014)). They further admit that BVSD wants to permanently prevent T.U. and Xiaolei Xu from defending their parent rights that are guaranteed by IDEA and from filing any complaints against BVSD. T.U. and Xiaolei Xu deny the rest of the allegations and inferences in Paragraph 21.

22. T.U. and Xiaolei Xu admit the allegations in Paragraph 22.
23. T.U. and Xiaolei Xu admit the allegations in Paragraph 23
24. T.U. and Xiaolei Xu admit that BVSD had been violating procedural and substantive violations of IDEA at the time of the complaint, and these violations were the main motivation for T.U. to file a complaint with KSDE. They further admit that they would not have filed a complaint if these issues had not been present and D.U. had been safe and happy at school. T.U. and Xiaolei Xu cannot fully make sense of the rest of the allegations in Paragraph 24, as they seem to be doctored, out-of-context excerpts from the report mentioned. In other words, T.U. and Xiaolei Xu lack sufficient knowledge to form a belief about the truth of the allegations in Paragraph 24.
25. T.U. and Xiaolei Xu cannot fully make sense of the allegation in Paragraph 24, as they seem to be doctored, out-of-context excerpts from the report mentioned. In other words, T.U. and Xiaolei Xu lack sufficient knowledge to form a belief about the truth of the allegation in Paragraph 25.
26. T.U. and Xiaolei Xu cannot fully make sense of the allegations in Paragraph 26, as they seem to be doctored, out-of-context excerpts from the report mentioned. In other words, T.U. and Xiaolei Xu lack sufficient knowledge to form a belief about the truth of the allegation in Paragraph 26.
27. T.U. and Xiaolei admit the allegation in Paragraph 27.
28. T.U. and Xiaolei admit the allegation in Paragraph 28.
29. T.U. and Xiaolei Xu lack sufficient knowledge to form a belief about the truth of the allegation in Paragraph 29.
30. T.U. and Xiaolei Xu deny the allegations in Paragraph 30. T.U. and Xiaolei admit that BVSD wants to permanently prevent T.U. and Xiaolei from defending their parent rights that are guaranteed by IDEA and from filing any due process complaints against BVSD.

They further admit that BVSD officials hoped for Diana Durkin's report to permanently end T.U.'s and Xiaolei Xu's efforts to defend their parent rights. They further admit that the main issues investigated by Diana Durkin were D.U.'s evaluation and restrictions BVSD imposed on parental participation, both of which fall under IDEA. They further admit that if these issues had been properly addressed by Diana Durkin at that time, D.U. could have received FAPE. They further admit that they would not have unenrolled D.U. from BVSD and filed a due process complaint if D.U. had received FAPE at BVSD.

31. T.U. and Xiaolei Xu admit that BVSD filed a frivolous motion mainly aimed at dismissing bullying from the proceeding. They further admit that bullying deprived D.U. of FAPE. T.U. and Xiaolei Xu lack knowledge sufficient to form a belief about the truth of the rest of the allegations and inferences in Paragraph 31.

32. T.U. and Xiaolei Xu admit that they would not have unenrolled D.U. from LVE and registered for homeschooling on February 21, 2024, if it was not for the pressure from Dennis Stanchik. They further admit that unenrollment of D.U. from BVSD was the outcome BVSD wanted. They further admit that BVSD engineered this outcome by turning individuals such as Dennis Stanchik and Suzanne Martin, the principal of LVE, against the family and creating a hostile environment against the entire family both inside and outside the school. T.U. and Xiaolei deny the rest of the allegations and inferences in Paragraph 32.

33. T.U. and Xiaolei Xu admit that BVSD considers the motions filed by its trial lawyers as rulings by a trier of fact. T.U. and Xiaolei Xu cannot fully make sense the out-of-context excerpts in Paragraph 33. Thus, T.U. and Xiaolei Xu lack information sufficient to form an opinion about the truth of the allegations in Paragraph 33.

34. T.U. and Xiaolei Xu admit that neither BVSD nor its trial lawyers are entitled to predetermine what parents can and cannot include in a due process complaint. T.U. and

Xiaolei Xu further admit that BVSD and its trial lawyers also do not have the authority to dismiss the issues they do not find appropriate from a due process hearing. T.U. and Xiaolei Xu deny the rest of the allegations and inferences in Paragraph 34.

35. T.U. and Xiaolei Xu admit the allegations in Paragraph 35. They further admit that BVSD voluntarily disclosed evidence regarding the murder list hoax, even though the Hearing Officer dismissed the incident entirely from the complaint.

36. T.U. and Xiaolei Xu admit that their subpoena request was denied and that they did not replicate the subpoena request afterwards. BVSD's unilateral and improper transfer of D.U. was a procedural violation of IDEA. They further admit that one cannot assess how much damage this violation inflicted on D.U. without knowing the truth about the murder list allegations against D.U. They further admit that one cannot know D.U. and his needs if they do not know whether the murder list allegations against him is true or not. They further admit that one cannot know D.U. and his needs if they know what he had to go through due to the rumors and prejudice arising from the murder list accusations. They further admit that a disciplinary record with murder list accusations will prejudice any educator or a psychotherapist against D.U. T.U. and Xiaolei Xu lack knowledge sufficient to form an opinion about the truth of the rest of the allegations in Paragraph 36.

37. T.U. and Xiaolei admit the allegations in Paragraph 37. They further admit that because the related subpoenas were rejected, they were denied the opportunity to obtain evidence that would support or refute their claims regarding BVSD creating a hostile environment for D.U. by turning parents and students against him and his family.

38. T.U. and Xiaolei Xu admit that the Hearing Officer and BVSD colluded to suppress critical evidence that would have confirmed or refuted their claims regarding BVSD staff's hostile attitude towards D.U. and his parents. T.U. and Xiaolei deny the rest of the allegations and inferences in Paragraph 38.

39. T.U. and Xiaolei Xu admit that the Hearing Officer irrevocably prejudiced their case through a series of rulings that she issued from September, 2024, onwards. As a result, T.U. filed a motion for disqualification as well as moved the Hearing Officer to disclose the communications between her and KSDE regarding logistical issues in the future. The Hearing Officer denied both requests. T.U. and Xiaolei deny the rest of the allegations and inferences in Paragraph 39.
40. T.U. and Xiaolei Xu admit that the primary trigger for their second due process complaint was Mark Schmidt's unequivocal denial of their repeated requests to hold an IEP meeting for D.U. (see "Exhibit D" attached). T.U. and Xiaolei deny the rest of the allegations and inferences in Paragraph 40.
41. T.U. and Xiaolei admit the allegations in Paragraph 41.
42. T.U. and Xiaolei Xu admit the allegations in Paragraph 42. They further admit that their request to hold an IEP meeting had never been denied before and hence the issue had never been a part of their previous complaints. T.U. and Xiaolei Xu further admit that BVSD and KSDE colluded to bar them from filing new complaints, which is a parent right guaranteed by IDEA.
43. T.U. and Xiaolei Xu admit that they were reluctant to schedule a status conference regarding the improper consolidation of two complaints, as they maintained that the Hearing Officer did not have the authority to consolidate complaints. Pursuant to K.A.R. 72-3415 (f) (1) and (2), "Nothing in this section shall be construed to preclude a parent or an agency from filing a separate due process complaint on an issue different from issues presented in a due process complaint already filed...Upon motion of either party and if deemed appropriate by the due process hearing officer presiding in the initial hearing, the issues raised in the separate complaints may be considered and resolved in the same due process hearing." Despite this, the Hearing Officer and BVSD held a conference to

discuss the consolidation of the two complaints at a time that Xiaolei Xu had said in advance would not work for the parents. T.U. and Xiaolei Xu admit that they did not provide a prehearing order regarding the new “consolidated” complaint to avoid legitimizing the improper consolidation of their two complaints and absolving the Hearing Officer and KSDE of this travesty of justice. T.U. and Xiaolei deny the rest of the allegations and inferences in Paragraph 43.

44. T.U. and Xiaolei Xu admit the allegations in Paragraph 44.

45. T.U. and Xiaolei Xu lack the knowledge sufficient to form an opinion about the truth of the allegations in Paragraph 45.

46. T.U. and Xiaolei admit the allegations in Paragraph 46.

47. T.U. and Xiaolei admit the allegations in Paragraph 47.

48. T.U. and Xiaolei admit the allegations in Paragraph 48.

49. T.U. and Xiaolei admit the allegations in Paragraph 49.

50. T.U. and Xiaolei admit the allegations in Paragraph 50.

51. T.U. and Xiaolei admit the allegations in Paragraph 51.

52. T.U. and Xiaolei admit that by then, they had figured out due process complaint was meant for whitewashing BVSD’s wrongdoings and for making parents and students look bad, so that parents’ case could be irrevocably prejudiced and did not make it to the next level, i.e., the Federal Court.

53. T.U. and Xiaolei deny the allegations in Paragraph 53.

54. T.U. and Xiaolei Xu admit that they devoted a huge amount of time and effort to the hearing, which disrupted their professional, as well as their personal and family lives. However, all that time and effort was wasted because they were denied a fair hearing. T.U. and Xiaolei lack knowledge sufficient to form a belief about the truth of allegation in Paragraph 37 that the proceedings cost BVSD significant time and effort during that

time.

55. T.U. and Xiaolei Xu admit that the Hearing Officer effectively forced them to make a choice among the three options: a) they go through an unfair hearing that would whitewash BVSD's and KSDE's wrongdoings, b) they voluntarily dismiss their due process complaint by the next pre-hearing deadline, c) the Hearing Officer dismisses their due process complaint with prejudice after the next deadline. The Hearing Officer gave them four days to reach a decision. They reached a decision in three days and filed a motion to dismiss, i.e., they chose option b. Still, the Hearing Officer ordered dismissal with prejudice. T.U. and Xiaolei Xu admit that the Hearing Officer took their motion for disqualification personally and retaliated against them by dismissing their claims with prejudice. T.U. and Xiaolei Xu further admit that the Hearing Officer also sought to prevent them from refiling their complaint to ensure that her unfair rulings could never be challenged by another Hearing Officer in the future. T.U. and Xiaolei deny the rest of the allegations and inferences in Paragraph 55.

56. T.U. and Xiaolei admit the allegations in Paragraph 56.

57. T.U. and Xiaolei admit the allegations in Paragraph 57.

58. T.U. and Xiaolei admit the allegations in Paragraph 58.

59. T.U. and Xiaolei do not have knowledge sufficient to form an opinion about the truth of the allegations in Paragraph 59.

60. T.U. and Xiaolei do not have knowledge sufficient to form an opinion about the truth of the allegations in Paragraph 60.

61. T.U. and Xiaolei admit that the main motivation for BVSD's counterclaim is to ensure that T.U. and Xiaolei Xu forever holds their peace about BVSD's wrongdoings and their entire family completely disappears from the district. T.U. and Xiaolei Xu lack knowledge sufficient to form an opinion about the truth of the rest of the allegations in

Paragraph 61.

62. T.U. and Xiaolei admit the allegations in Paragraph 62.

63. T.U. and Xiaolei deny the allegations in Paragraph 63.

64. T.U. and Xiaolei deny the allegations in Paragraph 64.

65. T.U. and Xiaolei deny the allegations in Paragraph 65.

66. T.U. and Xiaolei deny the allegations in Paragraph 66. Mark Schmidt's decision to deny T.U.'s and Xiaolei Xu's request to hold an IEP meeting was unequivocal. Paragraph 66 includes the same word play that Mark Schmidt used in his response (see "Exhibit D" attached). Mark Schmidt and BVSD try to deflect attention away from BVSD's wrongdoings by reducing FAPE to a box-checking exercise and limiting FAPE to special education services, or in other words, specialized instruction.

67. T.U. and Xiaolei Xu lack knowledge sufficient to form an opinion about the truth of the allegations in Paragraph 67.

68. T.U. and Xiaolei Xu admit that BVSD incurs costs because it got caught in a vicious cycle of misconduct, whitewash, and retaliation. BVSD commits wrongdoings, then desperately tries to whitewash them by committing more wrongdoings and by retaliating against its victims when they dare to defend their rights and seek justice. T.U. and Xiaolei Xu lack knowledge sufficient to form an opinion about the truth of the rest of the allegations in Paragraph 68.

69. T.U. and Xiaolei Xu deny the allegations in Paragraph 69. T.U. and Xiaolei Xu were unwilling to participate in the consolidation of the two complaints, but they actively prosecuted their case, strictly adhered to deadlines, and followed the Hearing Officer's orders for almost the entirety of the proceedings. When they did not participate in the whitewash of the consolidation of their two complaints towards the end of the proceedings, however, their punishment was dismissal of their case with prejudice.

Moreover, T.U. and Xiaolei Xu themselves were left in limbo when they were effectively barred from bringing up the issues that were central to their and their children's right to FAPE and from conducting discovery, the main reasons why they proceeded to file notices of claim with BVSD and KSDE in June and July, 2024.

COUNTERCLAIM

1. T.U. and Xiaolei Xu are citizens of the State of Kansas.
2. BVSD is a citizen of the State of Kansas.
3. BVSD's counterclaim is at least in part a retaliation against T.U. and Xiaolei Xu for defending their Constitutional and civil rights by filing a federal lawsuit against BVSD.
4. By retaliating against T.U.'s and Xiaolei Xu's legal claims, BVSD further violates the aforementioned Constitutional and civil rights, namely the First and the Fourteenth Amendments to the United States Constitution, as well as 29 U.S.C. § 794.
5. BVSD's counterclaim is at least in part a retaliation against T.U. and Xiaolei Xu for defending their parent rights guaranteed by IDEA, 20 U.S.C. § 1400 et seq., by filing complaints against it with KSDE.
6. Suing T.U. and Xiaolei Xu for filing complaints with KSDE is a part of BVSD's relentless efforts to oppress, subdue, and break them to ensure that they cannot exercise their parent rights guaranteed by IDEA, which constitutes a procedural violation of IDEA and denial of FAPE, pursuant to 20 U.S.C. § 1415(f)(3)(E)(ii).
7. The aforementioned procedural violation of IDEA and denial of FAPE are grounds for reimbursement of tuition for private placement, pursuant to 20 U.S.C. § 1412(a)(10)(C)(ii).

WHEREFORE, T.U. and Xiaolei Xu request that the Court enter judgment in its favor against Counterclaim Plaintiff BVSD and award them the reimbursement of tuition for private placement they have incurred to date and they will incur until D.U. and A.U. complete their K-12 educations, their reasonable attorney fees, and such other and further relief as the Court deems just and proper.

- **Exhibits**

- Exhibit A: How to enroll in WSE
- Exhibit B: Expulsion rumors and prejudice against D.U. in the community
- Exhibit C: Dear Colleague Letter on Bullying by OSERS
- Exhibit D: Schmidt dismisses the parents



Name: Tolga Ulusemre
Address: 13982 W 147th St
City, State Zip: Olathe, KS 66062
Telephone: 912-481-8074
Email: tulusemre@gmail.com



Name: Xiaolei Xu
Address: 13982 W 147th St
City, State Zip: Olathe, KS 66062
Telephone: 912-481-8011
Email: xiaolei.xu2017@outlook.com

CERTIFICATE OF SERVICE

On December 17, 2024, I emailed a true and correct copy of the foregoing to the people listed below, at the email addresses stated:

Clerk's Office
U.S. District Court for the District of Kansas
Email: ksd_clerks_topeka@ksd.uscourts.gov

Attorneys for Blue Valley U.S.D. 229
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转发: Registration (FOR THE IMMERSION PROGRAM WITH KELLY BECK)

From xu xiaolei <rainxxl@hotmail.com>
Date Sun 12/08/2024 15:00
To Tolga Ulusemre <tulusemre@msn.com>

See the bolded her reply.

This is the link about immersion from district's website: <https://www.bluevalleyk12.org/Page/34432>

Programs / FAQs [bluevalleyk12.org](https://www.bluevalleyk12.org)

Page Navigation. World Language Immersion. Program Information; Middle School Chinese Programming; FAQs; Summer Programs. Summer Explorations; Step Up to Summer Learning
www.bluevalleyk12.org

发送自 [Outlook](#)

发件人: Beck, Kelly M. <KMBeck@bluevalleyk12.org>
发送时间: 2022年8月5日 6:42
收件人: xu xiaolei <rainxxl@hotmail.com>
抄送: Hafner, Jill R. <JRHafner@bluevalleyk12.org>
主题: RE: Registration

Sounds good, thank you!

-----Original Message-----

From: xu xiaolei <rainxxl@hotmail.com>
Sent: Friday, August 5, 2022 11:42 AM
To: Beck, Kelly M. <KMBeck@bluevalleyk12.org>
Cc: Hafner, Jill R. <JRHafner@bluevalleyk12.org>
Subject: Re: Registration

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender.

Thank you so much, Kelly! Great to know!

I will register them online soon. I or my husband will send you the documents you need.

Thank you again! Looking forward to my first day at Wolf Springs next Friday!

Xiaolei

Sent from my iPhone

> **On Aug 5, 2022, at 9:44 AM, Beck, Kelly M. <KMBeck@bluevalleyk12.org> wrote:**

>

> **Xiaolei,**

>

> **Welcome to our team! I apologize, I thought they had informed you**

> **already. Yes your children have been accepted into the program. Your**

> **next step will be to go online to register both kids: you can find the**

> **link here https://ks-blu-psv.edupoint.com/PXP2_OEN_Login.aspx**

>

> **You will need to register the kids as "Cedar Hills" for their home school and then we will be able**

> **to transfer them to us here at Wolf Springs.**

>

> **You will need the following forms to upload or you can send these to me:**

>

> ***birth certificate for both children**

> ***immunizations records.**

>

> **Once the students are registered, you will be able to pay student fees and we will be all set.**

>

> **I look forward to working with you!**

>

>

> Kelly Beck

> Administrative Assistant to the Principal Wolf Springs Elementary

> 913-624-2400

>

>

>

>

> -----Original Message-----

> From: xu xiaolei <rainxxl@hotmail.com>

> Sent: Friday, August 5, 2022 8:59 AM

> To: Beck, Kelly M. <KMBeck@bluevalleyk12.org>

> Subject: Registration

>

> EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender.

>

> Good morning Kelly,

>

> Sorry to bother you again. I am just wondering whether you heard anything from the district regarding

> the registration of immersion program for my children.

>

> If you need any other documents, please let me know.

>

> Thank you,

>

> Xiaolei

>

> Sent from my iPhone

> -----

> Blue Valley Schools - Education Beyond Expectations

> -----

> This e-mail (including any attachments) is confidential and intended solely for the use of the intended recipient. Any review, reliance, disclosure, copying, dissemination or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies. Further, the sender accepts no responsibility for any damage caused by any virus, spyware, malware, or other malicious code transmitted by this e-mail.

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Blue Valley Schools - Education Beyond Expectations

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Tolga Ulusemre <tulusemre@gmail.com>

Update on D [REDACTED]

Tolga Ulusemre <tulusemre@gmail.com>

Fri, Aug 11, 2023 at 9:09 PM

To: "Martin, Suzie" <SDMartin@bluevalleyk12.org>

Cc: xu xiaolei <rainxxl@hotmail.com>, "Newell, Elizabeth L." <ENewell@bluevalleyk12.org>, "Sonsthagen, Lisa L." <Lsonsthagen@bluevalleyk12.org>, "Wentz, Katelyn E." <KWentz@bluevalleyk12.org>

Hi Mrs. Martin,

I can meet with you in-person anytime on Tuesday. My wife will not be able to make it either on Monday or Tuesday. D [REDACTED] will be shy but will benefit from meeting with his Specials Teachers and everybody else on Monday.

I would like to inform you about an incident that happened today. The incident troubled our family and showed us the extent to which rumors have spread.

I took D [REDACTED] and his brother to Wilshire Farms for a play date today. We went to the community's pool and immediately a few kids started mentioning D [REDACTED]'s name and talking to each other while looking at him. Shortly before the play date was over, D [REDACTED] recognized a former Cedar Hills classmate called R [REDACTED] and said hi. R [REDACTED] replied by saying "Didn't you get expelled?". Then a girl who was with R [REDACTED] and who D [REDACTED] did not know threw a water balloon at D [REDACTED]. The two kids were hostile and aggressive towards D [REDACTED], who was cornered and shoved by R [REDACTED].

The rumors that stigmatize D [REDACTED] and that make him subject to social bullying is what worries us most. If these rumors reach Liberty View and spread there, D [REDACTED] will be in a very hostile environment. It might be too late when D [REDACTED] hears about the rumors himself. Liberty View students, parents, and staff members should be discouraged from spreading rumors, and should be encouraged to report rumors when they hear them. The rumors should be tracked and contained as if they are viruses that have the potential to cause an epidemic.

Respectfully,
Tolga

[Quoted text hidden]



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Aug. 20, 2013

Dear Colleague:

The U.S. Department of Education's Office of Special Education and Rehabilitative Services (OSERS) is committed to working with States to ensure that school districts provide all children with positive, safe, and nurturing school environments in which they can learn, develop, and participate. OSERS is issuing this letter to provide an overview of a school district's responsibilities under the Individuals with Disabilities Education Act (IDEA) to address bullying of students with disabilities.¹

As discussed in this letter, and consistent with prior Dear Colleague Letters the Department has published, bullying of a student with a disability that results in the student not receiving meaningful educational benefit constitutes a denial of a free appropriate public education (FAPE) under the IDEA that must be remedied.² However, even when situations do not rise to a level that constitutes a denial of FAPE, bullying can undermine a student's ability to achieve his or her full academic potential. Attached to this letter are specific strategies that school districts and schools³ can implement to effectively prevent and respond to bullying, and resources for obtaining additional information.

Bullying of any student by another student, for any reason, cannot be tolerated in our schools.⁴ Bullying is no longer dismissed as an ordinary part of growing up, and every effort should be made to structure environments and provide supports to students and staff so that bullying does not occur. Teachers and adults should respond quickly and consistently to bullying behavior and

¹ This letter is intended to supplement the July 25, 2000, joint Dear Colleague Letter from OSERS and the Department's Office for Civil Rights (OCR), which addressed disability harassment under Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II of the ADA), and the IDEA (available at: <http://www.ed.gov/ocr/docs/disabharassltr.html>).

² Some bullying of students with disabilities may also constitute discriminatory harassment and trigger additional responsibilities under the civil rights laws that OCR enforces, including Section 504, Title II of the ADA, Title VI of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972. See OCR's October 26, 2010, Dear Colleague Letter on Harassment and Bullying (available at: <http://www.ed.gov/ocr/letters/colleague-201010.html>).

³ In the context of this letter "school" includes public preschools; elementary, middle, and high schools; and public agencies, including the State Educational Agency (SEA), Educational Service Agencies (ESA), Local Educational Agencies (LEA), nonprofit public charter schools that are not otherwise included as LEAs or ESAs and are not a school of an LEA or ESA, and any other political subdivisions of the State that are responsible for providing education to children with disabilities. See 34 C.F.R. §300.33.

⁴ Although the focus of this letter is peer-to-peer bullying, it is important to acknowledge that it is also intolerable for teachers and school staff to be party to school bullying and disability harassment (*i.e.*, being active participants in bullying), or observers to school bullying without taking action to address the behavior. While teacher-student disability harassment also may constitute a denial of FAPE, those issues are beyond the scope of this letter. We recommend that States and school districts consult with legal counsel regarding their responsibilities and duties in cases of bullying that involve school personnel, including taking the matter seriously, and promptly addressing any problematic behaviors.

send a message that bullying is not acceptable. Intervening immediately to stop bullying on the spot can help ensure a safer school environment.

Bullying is characterized by aggression used within a relationship where the aggressor(s) has more real or perceived power than the target, and the aggression is repeated, or has the potential to be repeated, over time. Bullying can involve overt physical behavior or verbal, emotional, or social behaviors (*e.g.*, excluding someone from social activities, making threats, withdrawing attention, destroying someone's reputation) and can range from blatant aggression to far more subtle and covert behaviors. Cyberbullying, or bullying through electronic technology (*e.g.*, cell phones, computers, online/social media), can include offensive text messages or e-mails, rumors or embarrassing photos posted on social networking sites, or fake online profiles.

Addressing and reporting bullying is critical. Students who are targets of bullying behavior are more likely to experience lower academic achievement and aspirations, higher truancy rates, feelings of alienation from school, poor relationships with peers, loneliness, or depression.⁵ Bystanders, or those who only see or hear about bullying, also may be negatively affected as bullying tends to have harmful effects on overall school climate. Bullying can foster fear and disrespect and negatively affect the school experience, norms, and relationships of all students, families, and school personnel.⁶ The consequences may result in students changing their patterns of school participation or schools eliminating school activities (*e.g.*, dances, sporting events) where bullying has occurred. Teachers, school personnel, parents, and students should report bullying when they become aware of it.

Students with disabilities are disproportionately affected by bullying.⁷ For example, students with learning disabilities, attention deficit or hyperactivity disorder, and autism are more likely to be bullied than their peers.⁸ Any number of factors -- physical characteristics, processing and social skills, or intolerant environments -- may increase the risk that students with disabilities will be bullied. Due to the characteristics of their disabilities, students with intellectual, communication, processing, or emotional disabilities may not understand the extent to which bullying behaviors are harmful, or may be unable to make the situation known to an adult who can help. In circumstances involving a student who has not previously been identified as a child with a disability under the IDEA, bullying may also trigger a school's child find obligations under the IDEA. 34 C.F.R. §§300.111, 300.201.

Whether or not the bullying is related to the student's disability, any bullying of a student with a disability that results in the student not receiving meaningful educational benefit constitutes a

⁵ Gini G., & Pozzoli T. (2009). Association between bullying and psychosomatic problems: A meta-analysis. *Pediatrics*, 123(3):1059-1065.

⁶ O'Brennan, L. M., Bradshaw, C. P., & Sawyer, A. L. (2009). Examining developmental differences in the social-emotional problems among frequent bullies, victim, and bully/victims. *Psychology in the Schools*, 46(2), 100-115.

⁷ Swearer, S. M., Wang, C., Maag, J. M., Siebecker, A., B., & Frerichs, L. J. (2012). Understanding the bullying dynamic among students in special and general education. *Journal of School Psychology*, 50, 503-520.

⁸ Twyman, K. A., Saylor, C. F., Saia, D., Macias, M. M., Taylor, L. A., & Spratt, E. (2010). Bullying and ostracism experiences in children with special health care needs. *Journal of Developmental Behavioral Pediatrics*, 31, 1-8.

denial of FAPE under the IDEA that must be remedied.⁹ States and school districts have a responsibility under the IDEA, 20 U.S.C. § 1400, *et seq.*, to ensure that FAPE in the least restrictive environment (LRE) is made available to eligible students with disabilities. In order for a student to receive FAPE, the student's individualized education program (IEP) must be reasonably calculated to provide meaningful educational benefit.¹⁰

Schools have an obligation to ensure that a student with a disability who is the target of bullying behavior continues to receive FAPE in accordance with his or her IEP. The school should, as part of its appropriate response to the bullying, convene the IEP Team to determine whether, as a result of the effects of the bullying, the student's needs have changed such that the IEP is no longer designed to provide meaningful educational benefit. If the IEP is no longer designed to provide a meaningful educational benefit to the student, the IEP Team must then determine to what extent additional or different special education or related services are needed to address the student's individual needs; and revise the IEP accordingly. Additionally, parents have the right to request an IEP Team meeting at any time, and public agencies generally must grant a parental request for an IEP Team meeting where a student's needs may have changed as a result of bullying. The IDEA placement team (usually the same as the IEP Team) should exercise caution when considering a change in the placement or the location of services provided to the student with a disability who was the target of the bullying behavior and should keep the student in the original placement unless the student can no longer receive FAPE in the current LRE placement. While it may be appropriate to consider whether to change the placement of the child who was the target of the bullying behavior, placement teams should be aware that certain changes to the education program of a student with a disability (*e.g.*, placement in a more restrictive "protected" setting to avoid bullying behavior) may constitute a denial of the IDEA's requirement that the school provide FAPE in the LRE. Moreover, schools may not attempt to resolve the bullying situation by unilaterally changing the frequency, duration, intensity, placement, or location of the student's special education and related services. These decisions must be made by the IEP Team and consistent with the IDEA provisions that address parental participation.

If the student who engaged in the bullying behavior is a student with a disability, the IEP Team should review the student's IEP to determine if additional supports and services are needed to address the inappropriate behavior. In addition, the IEP Team and other school personnel should consider examining the environment in which the bullying occurred to determine if changes to the environment are warranted.

As discussed above, any bullying of a student with a disability that results in the student not receiving meaningful educational benefit from the special education and related services provided by the school is a denial of FAPE. A student must feel safe in school in order to fulfill his or her full academic potential. We encourage States and school districts to alert Boards of Education, school administrators, teachers, and staff that bullying can result in a denial of FAPE

⁹ OCR also has authority to investigate complaints alleging denial of FAPE under Section 504 and Title II. See the July 25, 2000, joint Dear Colleague Letter on Disability Harassment; (available at: <http://www.ed.gov/ocr/docs/disabharassltr.html>); and OCR's October 26, 2010, Dear Colleague Letter on Harassment and Bullying (available at: <http://www.ed.gov/ocr/letters/colleague-201010.html>).

¹⁰ See *Hendrick Hudson Central Sch. Dist. Bd. of Educ. v. Rowley*, 458 U.S. 176, 201 (1982).

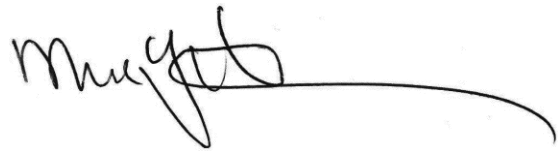
for students with disabilities. We also encourage States and school districts to reevaluate their policies and practices addressing problematic behaviors, including bullying, in light of the information provided in this letter, as well as in OSERS' July 25, 2000, joint Dear Colleague Letter and OCR's October 26, 2010, Dear Colleague Letter. The enclosure to this letter, "Effective Evidence-based Practices for Preventing and Addressing Bullying," includes practices for use as part of any bullying prevention and intervention program to help ensure that school and classroom settings are positive, safe, and nurturing environments for all children and adults.

We look forward to continuing to work with you to ensure that students with disabilities have access to high-quality services in positive, safe, and respectful school environments.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody Musgrove". The signature is fluid and cursive, with a long horizontal line extending to the right.

Melody Musgrove, Ed. D.
Director
Office of Special Education Programs

A handwritten signature in black ink, appearing to read "Michael K. Yudin". The signature is cursive and includes a long horizontal line extending to the right.

Michael K. Yudin
Acting Assistant Secretary

Enclosure: Effective Evidence-based Practices for
Preventing and Addressing Bullying



Re: Monday

From Tolga Ulusemre <tulusemre@msn.com>

Date Wed 08/28/2024 19:20

To Schmidt, Mark R. <MRSchmidt@bluevalleyk12.org>; xu xiaolei <rainxxl@hotmail.com>

Cc Martin, Suzie <SDMartin@bluevalleyk12.org>

This is just word play. We are willing to consent to discuss IEP services, but there are more pressing issues at the moment, and anti-bullying needs to be a part of D■■■■'s IEP. Please let us know who the case manager is and we will contact him/her directly and call for a meeting. We do not know why we are communicating with district bureaucrats regarding this anyways.

We also object to clandestine communications between LVE and BVSD regarding us and D■■■■, as well as clandestine communications between Suzanne Martin and LVE staff regarding us and D■■■■. We need to be included in BVSD's all internal communications regarding us and D■■■■ to prevent the IEP team and the rest of LVE from being poisoned by BVSD.

BVSD made us and so many staff members miserable by imposing its political agenda on D■■■■'s education. BVSD's main motivation is to smear us and D■■■■ to whitewash the murder list hoax at Wolf Springs. Most teachers just wish to work and do not want to be a part of such schemes. As a result, they get disgruntled and leave BVSD.

Please allow us to work with the school staff and stop interfering, and then everyone will be happier. There would be no lawsuits or administrative hearings if we were allowed to work with the school staff.

From: Schmidt, Mark R. <MRSchmidt@bluevalleyk12.org>

Sent: Wednesday, August 28, 2024 12:29

To: Tolga Ulusemre <tulusemre@msn.com>; xu xiaolei <rainxxl@hotmail.com>

Cc: Martin, Suzie <SDMartin@bluevalleyk12.org>

Subject: Re: Monday

Mr. Ulusemre and Mrs. Xu,

I appreciate your explanation of your viewpoint. You have not indicated that you're willing to consent to discuss D■■■■'s IEP services, so we will not convene an IEP team meeting at this time. We agree that specialized instruction to help D■■■■ build interpersonal and self-regulation skills could be part of an IEP. If you change your mind and are willing to discuss such IEP services for D■■■■, please let us know.

I know the LVE team will be glad to discuss your concerns regarding protections against bullying and disability discrimination in connection with a safety plan. I will defer with Mrs. Martin to schedule a meeting with you and appropriate LVE staff members.



Dr. Mark Schmidt

ASST. SUPERINTENDENT SPECIAL EDUCATION

913.239.4057

MRSchmidt@bluevalleyk12.org

15020 Metcalf Ave. | Overland Park, KS 66223

www.bluevalleyk12.org



From: Tolga Ulusemre <tulusemre@msn.com>

Sent: Tuesday, August 27, 2024 1:27 PM

To: Schmidt, Mark R. <MRSchmidt@bluevalleyk12.org>; xu xiaolei <rainxxl@hotmail.com>

Cc: Martin, Suzie <SDMartin@bluevalleyk12.org>

Subject: Re: Monday

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender.

We would like to work with the IEP team to develop a safety plan. General education teachers do not understand anxiety, misinterpret its symptoms, and tend to penalize D■■■■ for displaying them. This was the case in his last three BVSD schools.

Besides, anything that deprives D■■■■ of a meaningful educational benefit, including bullying and hostile environment at school, is a matter of IEP, and hence a matter of special education. It is the bullying and hostile environment that blocks D■■■■'s access to education. We cannot even start thinking about anything else before solving the bullying problem.

D■■■■'s IEP should have goals such self-advocacy (reporting problems, asking for help, etc.), socialization (positive relationships and interactions with peers and teachers, unlike what happened in the last two years), etc. He cannot achieve any special or general education goal when he is swarmed by peers and teachers.

There are basically two main issues to discuss. These two issues started with Stephanie Cleland at Wolf Springs, and have remained persistent in all the three BVSD schools D■■■■ attended.

1. Teacher and peer bullying: Teachers mainly use peers as proxies to bully D■■■■. The pattern in the last three BVSD schools is that the proxy bully makes false accusations against D■■■■ and reports them to the teacher, who is the primary bully, who in turn punishes and humiliates D■■■■.
2. Disability discrimination: Teachers draw negative attention to him by humiliating and punishing him for displaying anxiety symptoms and for committing minor infractions. This negative attention also makes him a target of peer bullying by ruining his social status and image among peers.

https://www.linkedin.com/posts/workplacebullyingproject_bullying-by-proxy-is-real-once-the-bullying-activity-7095505069827125249-wikJ/?trk=public_profile_like_view




Workplace Bullying Project on LinkedIn: BULLYING BY PROXY IS REAL! Once the bully begins the smear campaign, the... | 27 comments

BULLYING BY PROXY IS REAL! Once the bully begins the smear campaign, the situation is most certainly escalating because this is how they recruit others to... | 27 comments on LinkedIn

www.linkedin.com

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3192570




Bully by Proxy: Using Subordinates as Henchmen to Facilitate Workplace Bullying (Presentation Slides)

This study is based on a meta- analysis of existing data sets pertaining to workplace bullying in American higher education. Potential respondents at 317 four-y

papers.ssrn.com

<https://chacocanyon.com/pointlookout/221019.shtml>



Bullying by Proxy: I

The form of workplace bullying perhaps most often observed involves a bully and a target. Other forms are less obvious. One of these, bullying by proxy, is especially difficult to control, because it so easily evades most anti bullying policies.

chacocanyon.com

From: Schmidt, Mark R. <MRSchmidt@bluevalleyk12.org>
Sent: Tuesday, August 27, 2024 12:37
To: Tolga Ulusemre <tulusemre@msn.com>; xu xiaolei <rainxxl@hotmail.com>
Cc: Martin, Suzie <SDMartin@bluevalleyk12.org>
Subject: Re: Monday

Good afternoon,

It's my understanding that you are asking for a meeting to discuss a safety plan, rather than an IEP team meeting, but I'd like to clarify. If we are meeting as an IEP team, we will need to again review the evaluation report, gather additional information from you about D■■■■'s progress at home, identify goals related to his disability that we will work on with D■■■■ and the identify specialized instruction that is necessary for D■■■■ to make progress on those goals. Next, we would move to the accommodations and modifications that are necessary for D■■■■ to have access to the general education curriculum and progress on special education goals. IEP services cannot be separated from the accommodation needed, and both require parental consent that acknowledges the child has a disability and require specially designed instruction.

In the email below, you indicate a desire only to visit about a safety plan. You haven't indicated a desire to work with the IEP team to develop an initial IEP for D■■■■. Typically, development of a safety plan is a general education process that doesn't usually include special education staff members (school psych, special education teacher, SLP, and sped administration) who are responsible for specialized instruction and special education compliance.

We need to ensure we understand what you want to discuss so that we can include the appropriate people in the meeting. Please let us know if you're asking for an IEP team meeting to discuss D■■■■'s IEP or a meeting to discuss a safety plan without re-opening the discussion of the IEP.

Thank you,



Dr. Mark Schmidt

ASST. SUPERINTENDENT SPECIAL EDUCATION

913.239.4057

MRSchmidt@bluevalleyk12.org

15020 Metcalf Ave. | Overland Park, KS 66223

www.bluevalleyk12.org

From: Tolga Ulusemre <tulusemre@msn.com>

Sent: Thursday, August 22, 2024 8:53 PM

To: xu xiaolei <rainxxl@hotmail.com>; Schmidt, Mark R. <MRSchmidt@bluevalleyk12.org>

Cc: Martin, Suzie <SDMartin@bluevalleyk12.org>

Subject: Re: Monday

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender.

We would like to hold an IEP meeting to come up with a safety plan, as we have been saying all along. Having a safety plan and going to school is the service D■■■■ needs and would benefit from most. The other services are just box checking exercises.

From: xu xiaolei <rainxxl@hotmail.com>

Sent: Thursday, August 22, 2024 12:25

To: Schmidt, Mark R. <mrschmidt@bluevalleyk12.org>

Cc: Tolga Ulusemre <tulusemre@msn.com>

Subject: Re: Monday

Dr. Schmidt,

I had to unenroll D■■■■ because it was clear that the Safety Plan we requested for months was not going to be provided to D■■■■ when the school started. Our request once again was dismissed.

Without a Safety Plan, he cannot go to school. He cannot receive any services.

Xiaolei

On Aug 22, 2024, at 12:13 PM, Schmidt, Mark R. <mrschmidt@bluevalleyk12.org> wrote:

Good afternoon,

Thank you. I was responding for the district to your follow up email sent on August 12th (see below), which stated that D [REDACTED] was not going to attend LVE until after the Due Process was resolved, and the safety plan and IEP were agreed upon. My email was a reminder of your rights while D [REDACTED] was in private school or home school.

I have attached a copy of the [parental rights in special education](#).

Please let me know if you have changed your mind and now wish to consent to services and/or hold an IEP meeting to discuss the proposed services.

Mark

<image.png>

Outlook-nyaz0buk.png

From: xu xiaolei <rainxxl@hotmail.com>
Sent: Thursday, August 22, 2024 11:54 AM
To: Schmidt, Mark R. <MRSchmidt@bluevalleyk12.org>
Cc: Tolga Ulusemre <tulusemre@msn.com>
Subject: Fwd: Monday

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender.

Dr. Schmidt,

Please see the email exchange I had with Mrs. Martin on the meeting over 10 days ago.

Hope it can clear some miscommunication.

Thank you,

Xiaolei

Begin forwarded message:

From: xu xiaolei <rainxxl@hotmail.com>
Date: August 11, 2024 at 11:00:43 PM CDT
To: "Martin, Suzie" <SDMartin@bluevalleyk12.org>
Cc: Tolga Ulusemre <tulusemre@msn.com>

Subject: Re: Monday

Mrs. Martin,

Thank you for the reply. It seems like a response from an attorney or attorneys. This is also not the first time we were defamed and being called "uncivil".

I have a few requests to make:

1. Once again, please provide evidence of these uncivil communication. Otherwise we are defamed again in Liberty View. If targeting an innocent child and harming him emotionally is civil, then protecting my child and pointing out the wrong doings are nothing uncivil.
2. We are making an official request the second time this academic year for a Safety Plan to ensure D [REDACTED] to be safe at school. This Safety Plan will be the basis for him to be able to stay school and receive service that we will agree on in the future. It should address that D [REDACTED] will be treated equally as his peers and not to be targeted by adults at school. We are not waiving the 10 days notice. We would like to give you enough time to draft a Safety Plan.
3. Every time we sent him back to LVE last academic year, we were focusing on the future. However, the past kept on coming back and hurt him. There is no future to focus on until the past is cleared up.

Sincerely,

Xiaolei

On Aug 11, 2024, at 7:55 PM, Martin, Suzie
<SDMartin@bluevalleyk12.org> wrote:

Good evening,

Under both state and federal law, we must convene an IEP meeting. The IEP is the appropriate tool to identify accommodations for D [REDACTED]. We understand you do not agree with aspects of the evaluation, even though D [REDACTED] was determined

eligible for special education. To bridge this gap and move forward, we propose you write a statement outlining the areas of disagreement with the evaluation, and we will attach your signed statement to the evaluation to be included within D■■■■'s education record. You have said there are some parts of the draft IEP you like. Holding an IEP meeting will give us an opportunity to discuss what you do and do not like about the IEP and allow the IEP Team, including parents, to try to work toward an agreed upon IEP.

Attached is the waiver form to waive the 10-day notice requirements if you would like to convene an IEP team meeting this week. Otherwise, I will send a Notice of Meeting with a meeting date at least 10 days out.

Tolga's restrictions result from his voluminous uncivil communications with staff. We will welcome Tolga for scheduled meetings, but he is not invited in the building on a daily basis.

While I believe my staff and I responded appropriately to every reported incident involving D■■■■ last year, I think it is more productive to focus on the future for D■■■■ at LVE. We look forward to having a great year.

Please let me know if D■■■■ would like to come meet his teacher at 11:00 tomorrow morning. If not, we hope to see you at Sneak Peek.

From: xu xiaolei <rainxxl@hotmail.com>
Sent: Saturday, August 10, 2024 10:30 AM
To: Martin, Suzie <SDMartin@bluevalleyk12.org>
Cc: Tolga Ulusemre <tulusemre@msn.com>
Subject: Re: Monday

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender.

Mrs. Martin,

Thank you for your reply.

It seems like what is proposed is the same as last year. As you can remember, it didn't work out.

D■■■■ stayed at school only for 5 days in August, 2023, as he became a target of bullying.

With the tentative 504 plan in September, he could only for about 11 days at school because of bullying.

He lasted only 8 days in December, 2023 because he was more closely scrutinized on daily basis. The tentative 504 plan was not implemented by most staff members. The bathroom incident happened this January was never even acknowledged.

The safety plan was brought up by us many times last school year and we could never have it in place.

A safety plan that protects D■■■■ from hostility and bullying is the basis for him going back to school and stay at school. I hope 10 days is sufficient for you to propose a safety plan.

Also Tolga is still being banned is a very bad start and sign for everyone. Please explain why he is deemed hostile by LVE staff. Please explain the specific instances where he was violent.

Thank you,

Xiaolei

On Aug 10, 2024, at 8:00 AM, Martin, Suzie
<SDMartin@bluevalleyk12.org> wrote:

Xiaolei,

Thank you for reaching out in anticipation for the upcoming school year.

I believe it is helpful to consider ways to support D■■■■, especially ensuring that he has comfortable adults to connect with during his day. I would like to invite D■■■■ to come to LVE to meet his new teacher on Monday at 11:00 a.m.. I know the Sneak Peek night (from 3:30-4:30p.m.) is a busy event and can be overwhelming with lots of students and parents in the building, and I thought D■■■■ might like a more personalized setting to see his new classroom and meet his 5th grade teacher. Let me know whether D■■■■ would like to come in Monday morning with you.

I am not aware of any change in the visitation plan for the building from the winter/spring so I will be inviting only you, Xiaolei, and D [REDACTED] into the building for the tour or Sneak Peek.

In addition to meeting his teacher on the tour, there are two additional people who I believe will be key to D [REDACTED]' success: our Counselor, Mrs. Van Horn and our Social Worker, Mrs. Miller. They will be available on Monday to meet D [REDACTED] as well. If he is not able to come to a pre-tour, then both will be at Sneak Peek night so he can meet them along with his teacher, Mrs. Harvey.

I understand you have requested to meet with the IEP team members prior to school starting. We have determined that D [REDACTED] is eligible for special education, however, we do not have consent through a signed IEP to start services. Therefore, the IEP team is not activated at this time to work regularly with D [REDACTED]. We can convene an IEP meeting with the team members to discuss formal services. The law requires we provide parents and legal guardians 10 days notice prior to convening an IEP meeting. If you would like to waive the notice requirements, please let me know and I will send you a form to waive the 10-day notice period. Otherwise, we can find a date to meet that is at least 10 days out.

We already have proposed accommodations defined to support D [REDACTED]. The draft IEP you received in February 2024, included the following accommodations:

- o Frequent Check Ins or Prompts to Follow Directions
- o Proximity to Teacher
- o Extra Wait Time and Priming for Transitions
- o Extra Wait Time for Following Directions
- o Allow Self Talk, Fidgets, or other Self Regulation Tools
- o Preferred seating near positive role models, strategic placement in line to maximize successful transitions (currently in the front of the line), special care when responding to peer complaints to make sure D [REDACTED] knows the teacher or adult is getting both sides of the story.
- o Frequent breaks
- o Priming - staff should prime D [REDACTED] for academic and behavioral expectations
- o Social skills support - staff should provide positive praise for appropriate peer interactions

- o Organizational supports - provide D [REDACTED] with examples of an organized work area and supplies needed for different subject areas
- o Testing - take test in a quiet, non-competitive setting and extended time

During our IEP meeting we can also discuss additional accommodations you believe should be included in D [REDACTED]'s IEP.

In the meantime, I am proposing the following things that we are ready to support with on the first day of school. We create support, such as these, for several general education students in the building:

- Staff member able to greet D [REDACTED] as he enters to provide a 'soft start' as needed.
- An Eagle Pass system if he needs to take a break or conduct a check-in with a safe adult. This can be activated during class time, Specials or lunch time. If there is a concern, such as a peer conflict or a bullying concern, this would be the ideal time to report so that we can intervene.
- Mrs. Hernandez had an excellent rapport with D [REDACTED] last year so we would like to offer an opportunity to tap into their connection if he needs a safe space. We can build in a time for him to connect with her during the school day if he would like.

I know we are on the weekend, prior to school starting. I will check my email this evening as well as on Sunday afternoon to see if we can confirm the 11:00a.m. tour time for Monday.

We look forward to having D [REDACTED] back at LVE while he makes the best 5th grade memories!

<Outlook-1mei2hh2.png>

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