

SPECIAL EDUCATION ADVISORY COUNCIL
Minutes – September 13, 2013
 9:00 a.m. – 12:00 p.m.

PRESENT: Brendelyn Ancheta, Tammy Bopp, Jyo Bridgewater, Bob Campbell, Debbie Cheeseman, Shari Dela Cuadra-Larsen, Gabriele Finn, Martha Guinan, Barbara Ioli, Bernadette Lane, Eleanor MacDonald, Barbara Pretty, Susan Rocco, Ivalee Sinclair, Tom Smith, Lani Solomona, Jan Tateishi, Dan Ulrich, Amy Weich, Susan Wood
EXCUSED: Annette Cooper, Tami Ho, Dale Matsuura, Stacey Oshio, Zaidarene Place, Tricia Sheehey, Michele Tong, Cari White
ABSENT: Deborah Kobayakawa, Shanelle Lum, Kauai Rezendes, Melissa Rosen
GUESTS: Brian De Lima, Ronn Nozoe, Lyndsay Pinkus, Stephen Schatz, Steven Vannatta

TOPIC	DISCUSSION	ACTION
Call to Order	Ivalee Sinclair called the meeting to order at 9:15 a.m.	
Special Education Director’s Report	<p>Shari Dela Cuadra-Larsen reported on the following topics: <u>State Performance Plan/Annual Performance Report (SPP/APR)</u> The date of the SPP/APR meeting to review the draft APR for SY 12-13 is December 13th at the OCISS Annex. The U.S. DOE told state directors that the final draft of their revised SPP/APR has been pushed back to November. Once it is posted in the Federal Register, there will be another 30-day period for comments. <u>Request for notice to parents regarding adverse events</u> Procedures for notifying families regarding adverse events at school are still under review. <u>9th Circuit decision on extending FAPE to students up to age twenty-two</u> Shari indicated that high school principals are being advised as to how they are to implement the new rules for serving students with disabilities beyond Hawaii’s current 3-20 eligibility. Susan provided some background information on the court case that successfully argued that Hawaii discriminates against students with disabilities, because community schools for adults offer GED programs to non-disabled students 20 and over but do not accommodate similarly aged students with disabilities. Shari added that the Court viewed the GED programs as public education because they are free and advertise a route to a high school diploma. The remedy required by the Court may offer some compensatory education to students who left school after July 1, 2010. Students and parents will be getting notices mailed to them regarding their rights.</p>	Shari will notify members when the proposed SPP/APR appears in the Federal Register.

<p>Special Education Director's Report (cont.)</p>	<p><u>Questions/comments from members and guests</u> Q. Do you have a timeline for when procedures for parental notice of adverse events will be available? A. I talked to Holly Shikada [in the Attorney General's Office] yesterday, but there is no definite date. Q. If a student with an IEP over twenty wants to attend a Community School for Adults, will accommodations be provided? A. The Adult School funds are dwindling, and they don't really have the capacity to provide services for kids with significant disabilities. Q. You will be sending notices to families of students discontinued from 2010, but the resources and service array for these students is unclear. Will someone from OCISS help to develop these resources/services? A. It is yet to be determined.</p>	<p>Ivalee asked Shari to provide an update on implementation of the 9th Circuit decision at the next SEAC meeting.</p>
<p>Introductions</p>	<p>Ronn Nozoe, Deputy Superintendent, introduced himself to members and shared the various roles he has played as an educator in Hawaii. In turn, members and guests introduced themselves and told what motivated them to be part of SEAC. Ivalee welcomed SEAC's newest members—Amy Wiech, a parent, behavior analyst and doctoral student, and Susan Wood, a parent and staff to Hilopa's Parent-to-Parent Health Information Center and the MCH LEND program.</p>	
<p>DOE's Next Steps in Response to the West Ed Report</p>	<p>Shari and Ronn reported on how they are moving forward in response to recommendations from two studies conducted by WestEd at the Department's request. The first study reviewed the implementation of special education services and offered recommendations. The second study offered suggestions for implementing these recommendations in three broad areas—organization and infrastructure, allocation of resources and service provision. The Department has chosen to focus on the first and third areas this school year. Progress to date includes moving general supervision for special education to the Special Projects Office, implementing Response to Intervention, moving forward with Po'okela and developing a Parent Guide. Ronn emphasized that the Department initiated the WestEd study, because it is serious about improving service delivery to students with disabilities. The study confirmed what DOE</p>	<p>Shari will send Susan the Powerpoint of the Department's presentation to the Board of Education on this topic for dissemination to members.</p>

<p>DOE’s Next Steps in Response to the West Ed Report</p>	<p>leadership felt. The Department plans to use information that SEAC provides to shape improvements. <u>Questions/comments from members and guests</u> C. If you implement the recommendations in the WestEd study, you will improve general education outcomes, too. C. Before you send the draft of the OCISS Parent Guide to the Attorney General’s Office for review, you should have it commented upon by SEAC and other stakeholders. A. Leila Hayashida, the OCISS Branch Chief would be the one to approach about reviewing the Parent Guide.</p>	
<p>Strive HI Performance Results</p>	<p>Ronn and Lyndsay Pinkus, his Chief of Staff, provided an overview of the initial analysis of performance data under the new accountability system. Reading and math proficiency and college enrollment figures are going up slowly. The gaps between the high needs group and the general population are improving. A slide showing segments of the special education population contained incorrect data, and Lyndsay promised to send corected data. <u>Recognition Schools</u> Susan raised a concern about the awarding of recognition school status to schools where special education had declined in SY 11-12 (the latest year of data posted on the DOE website). Ronn clarified that the new accountability system offered more comparison points—such as student growth rates and attendance—than the old NCLB system that only looked at statewide assessment data. He also acknowledged that the huge proficiency gaps between special education students and general education students were not acceptable, and schools need to ratchet up the trajectory. Another explanation offered for why certain elementary schools were given top status when the ARCH data base showed poor performance by special education students is that perhaps the special education population did not meet the minimum “n” size for inclusion. <u>Priority and Focus Schools</u> The lowest performing 5% and the next lowest performing 10% of schools will receive greater interventions. Their annual academic and financial plans must address significant gaps or deficiencies, and they must</p>	<p>Lyndsay will provide further clarification to SEAC regarding the use of “n” sizes.</p>

<p>Strive HI Performance Results (cont)</p>	<p>get approval for their intervention tools. <u>Questions/comments from members and guests</u> C. When SEAC participated in the review of Hawaii’s ESEA Flexibility Waiver application, we were told that greating a high needs group would mean every student’s performance would be counted, and special education students’ performance that was previously excluded because of “n” size would now be accounted for. Q. Do we have data on what interventions are responsible for the differences in student performance? A. We are only now starting Response to Intervention and collecting data. Q. We heard that with RTI, schools are allowed to use their own screening tools. Wouldn’t that make it difficult to compare data between schools? A. We wanted to put our intial focus on the behavior of administering common assessments and improving instruction. There is no “one size fits all” screening tool for K-12, but we do have finding common screening tools on our radar. C. It is important to keep focusing on whether there is growth for the special education program. If there is no movement for special education kids in a particular school, then they should not be awarded recognition. A. We could contemplate a trigger the other way—i.e. a widening gap would trigger an alarm.</p>	
<p>Academic Review Teams</p>	<p>Stephen Schatz, Assistant Superintendent in the Office of Strategic Reforms, described Academic Review Teams (ART), one of six big priority strategies for improving student performance. The ART is a body dedicated to monitoring progress of a school’s initiatives. It meets periodically to monitor data to see whether whether a strategy is being properly implemented and whether it is having the desire effect. It helps schools make sense of what we want them to focus on. <u>Questions/comments from members and guests</u> Q. What happens with school monitoring reports? Do they stay within the school? A. Yes, we don’t want to point out inequities in the data because it might encourage manipulation of the data to look more acceptable. Q. Would this data be shared with the School Community Council? A.</p>	

<p>Academic Review Teams (cont.)</p>	<p><u>Questions/comments from members and guests</u></p> <p>There is not an explicit direction to do so, but it is a good idea.</p> <p>Q. Why wasn't chronic absenteeism factored into the Strive HI scoring system for middle and high schools? A. We may consider adding that when we change our system, but we focused on elementary schools, because Kindergarten is one of the worst offenders for chronic absenteeism. If we intervene early, we can have a big effect on later academic performance.</p> <p>C. A missing piece of support for students with disabilities is drop out recovery programs and vocational tracks. Q. Are these planned for the future? A. One of the missing pieces is something like that. I think it should be driven by counselors.</p> <p>C. We started a project with our Complex Area Superintendent on the Big Island for at-risk kids. We brought kids into a summer program who had been rescinded from special education but still had learning disabilities and were struggling in 9th grade. We tried to be their advocate with teachers.</p> <p>Q. When you measure college-going rates, are you looking at how many students start college as Freshmen, or how many students are still there after a year or two? A. The metric for measuring college-going is 16 months after graduation. We're working with the local colleges to encourage students to take 15 credits each semester, because there is research showing that students are more likely to drop out, if it takes too much time to complete college.</p> <p>C. If students don't know what they want to do, and they are taking remedial courses, it is hard to push them to take 15 credits.</p> <p>C. As a parent, I see college success as a support issue.</p> <p>Q. In your college-going data, it seems like you are focusing more on students without disabilities. Have you looked at college supports for students with disabilities? A. Our longitudinal data system is k-12. We're working with state institutions on a P-20 tracking system, and there are many challenges regarding data privacy and accuracy.</p>	
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<p>Academic Review Teams (cont.)</p>	<p>Questions/comments from members and guests C. For students who are exiting the school system, Vocational Rehab can pay for accommodations like a note taker or interpreter, even an iPad. I see VR as a federal scholarship program for students with disabilities.</p>	<p>Issues around kids who are eligible for supports under 504 were placed in the “bin” for discussion later.</p>
<p>Review of Minutes from August 9, 2013</p>	<p>Shari and Susan Wood pointed out typographical errors.</p>	<p>The minutes were approved as corrected.</p>
<p>Response to the Superintendent’s Letter Dated August 5, 2013</p>	<p>Ivalee drew members’ attention to the draft letter to the Superintendent in response to her request that SEAC provide information on organizations that serve families of students with disabilities. Since SEAC members are part of a work group convened by the Deputy Superintendent tasked in part with the same request, it seemed duplicative for SEAC to pursue the same information as a separate entity.</p>	<p>Members approved sending the draft letter to the Superintendent without correction.</p>
<p>Input from the Public</p>	<ol style="list-style-type: none"> 1) Ivalee reported on a request made to SEAC from members of a union that includes Kaiser Permanente employees. Union members encouraged SEAC to contact Kaiser and request that they offer health insurance coverage for diagnostic and therapeutic services (like Applied Behavioral Analysis) for individuals with Autism Spectrum Disorders. Members discussed whether SEAC should move beyond legislative advocacy for SB 668 to approach individual insurance carriers. Consensus was reached that members take any individual action they deem appropriate. 2) Ele MacDonald brought up concern raised by the family of a 19 year old student who is Deaf and blind. He attends the Hawaii School for the Deaf and Blind and has been offered a scholarship to the Helen Keller National Center in New York; however, because of his disability, he is unable to attend alone. The family has requested that he live in the dorm at the Hawaii School for the Deaf and the Blind in order to gain independent living skills, but the principal has decided that it is an inappropriate placement. 	<p>Copies of the letter and petition were distributed to members.</p> <p>Susan and Ivalee will draft a response to the union, informing them of our position.</p> <p>Members offered suggestions to Ele including taking the family’s request up the chain to the Complex Area Superintendent and possibly to the Deputy Superintendent and securing an advocate.</p>
<p>Legislative Proposal to Move RSA to the Department of Labor</p>	<p>Ele reminded members of the discussion in August regarding a section of a U.S. Senate bill (S. 1356) reauthorizing the Workforce Investment Act. The proposal in question would move the Rehabilitation Services Administration from its current home at the Department of Education to</p>	

<p>Legislative Proposal to Move RSA to the Department of Labor</p>	<p>the Department of Labor. There is considerable concern that individualized services to persons with disabilities will be lost, if this move is ratified, because the Department of Labor is not as knowledgeable about supports needed to assist persons with disabilities in achieving gainful employment. Bob Campbell pointed out that the bill must have Democratic support, as it was co-authored by Senator Tom Harkin. Ele asked that SEAC consider writing a letter in opposition to this proposed move of the RSA. Barbara Ioli added that the Developmental Disabilities Council gave its members a summary strongly opposing the bill because the Department of Labor has no track record in supporting the transition of persons with significant disabilities into the workforce. Members agreed that SEAC needs more information prior to taking action.</p>	<p>Susan and Ivalee will draft a letter to Senator Brian Schatz to ask for his position on this bill.</p>
<p>Items for October Agenda</p>	<p>Ivalee explained to members that she would like to set a precedent for getting members' input on agenda items for the following meeting. Items suggested by the group included the following:</p> <ul style="list-style-type: none"> • A presentation on Po'okela Centers on Excellence • SPP/APR data sharing by Debbie Farmer • Corrected data from the Strive Hi persentation • Update on Parent Notice re: Adverse Events • Due Process Report <p>Debbie Cheeseman expressed regret that she will miss the presentation on Po'okela, as she has serious concerns; she promised to send her concerns prior to the meeting, so that they can be included in the discussion.</p>	