

**SPECIAL EDUCATION ADVISORY COUNCIL**  
**Minutes – February 14, 2014**  
 9:00 a.m. – 12:00 p.m.

**PRESENT:** Brendelyn Ancheta, Bob Campbell, Debbie Cheeseman, Annette Cooper, Shari Dela Cuadra-Larsen, Jenny Gong, Martha Guinan, Barbara Ioli, Debbi Krekel, Dale Matsuura, Barbara Pretty, Kauai Rezendes, Susan Rocco, Melissa Rosen, Tricia Sheehey, Ivalee Sinclair, Michelle Suzuki (for Stacey Oshio), Jan Tateishi, Dan Ulrich, Amy Weich, Susan Wood  
**EXCUSED:** Tammy Bopp, Gabriele Finn, Tami Ho, Valerie Johnson, Tom Smith, Lani Solomona, Cari White  
**ABSENT:** Bernadette Lane, Zaidarene Place, Kenneth Powell  
**GUESTS:** Brian De Lima, Deborah Kobayakawa, Steven Vannatta

TOPIC	DISCUSSION	ACTION
<b>Call to Order</b>	Ivalee Sinclair called the meeting to order at 9:12 a.m.	
<b>Announcements</b>	Jan Tateishi made three announcements: <ul style="list-style-type: none"> <li>• Day at the Capitol, sponsored by the State Council on Developmental Disabilities, is scheduled for March 13, 2014.</li> <li>• SEAC members are encouraged to attend the SPIN Conference on April 5<sup>th</sup>. Project Laulima has funded Dr. Ruth Myers--a nationally known speaker on developmental disabilities and mental health issues—who will present two workshops at the conference. Deputy Superintendent Ronn Nozoe will be there to welcome participants.</li> <li>• Volunteers are needed to chair the SEAC display at the SPIN Conference and to man a shift at the table.</li> </ul>	Members who wish to attend the conference will contact SPIN. Barbara Ioli volunteered to chair the SEAC display. Barbara Pretty and Ivalee Sinclair volunteered to take a shift at the table.
<b>Membership Issues</b>	Jan informed members of the following changes to SEAC membership: <ul style="list-style-type: none"> <li>• Shanelle Lum is no longer serving as a Leeward parent representative due to scheduling conflicts.</li> <li>• Debbi Krekel is replacing Deborah Kobayakawa as the representative of the Parent Training and Information (PTI) program housed at the Learning Disabilities Association of Hawaii.</li> <li>• Deborah Kobayakawa has expressed her interest in serving on the Council as a parent representative from Windward Oahu, and her application will be forwarded to the Superintendent for consideration.</li> <li>• The Membership Committee is seeking parent nominees from Honolulu District.</li> </ul>	Members will help to get the word out regarding the need for a parent representative of a student with a disability (aged 1-26) from Honolulu District.

<p><b>Review of the January 10, 2014 Minutes</b></p>	<p>Susan Rocco reminded members that the length of the minutes reflects SEAC’s efforts to provide the Department and the public with a detailed record of discussions, suggestions/recommendations, and actions.</p>	<p>The minutes were approved as distributed.</p>
<p><b>Report from the Special Education Director</b></p>	<p>Shari Dela Cuadra-Larsen reported on the following topics:  <u>Status of Request for Notice to Parents Re: Adverse Events</u>            The Department is still in discussion about how to implement the notice, what the form will look like and when it will be distributed. There is pending legislation regarding restraints and seclusion that may affect how notice is given.  <u>Status of Chapter 60 Proposed Revisions</u>            At this time, the Department and the Board are not moving forward on Chapter 60 revisions.  <u>Update on the Complaints Management Section</u>            In September of 2013, the staff in the Special Project’s Office who had been responsible for written complaints moved to Honolulu District. Steven Vannatta from the Community Children’s Council Office has been temporarily assigned to assist with written complaints. The National Center on Dispute Resolution in Special Education (CADRE) sent a report to Shari summarizing Hawaii’s dispute resolution data. It echoed the trend that written complaints are low and due process hearing requests are high. Shari is currently working on creating an array of supports to assist the IEP team. She is also looking at the timeliness of due process decisions and pulling data to see where things get bottlenecked.  <u>Questions/comments from members and guests</u>            C. (Steven Vannatta) I view this as an exciting opportunity to step up and support the system around turning parent complaints into an opportunity for student success.            C. When you look at the due process hearings for SY 12-13, the number of hearings has reduced dramatically; to date only eight hearing decisions are recorded with parents prevailing in five of the eight. It would be important to SEAC’s understanding of due process to understand the reasons for the significant reduction in due process hearings.</p>	

<p><b>Report from the Special Education Director (cont.)</b></p>	<p>Q. Is there a pattern of what breaks down before the hearing? C. The Department used to offer facilitated IEPs. Q. Is that an option that you are looking at? A. We are talking to some of the schools and will be doing it. We want a more uniform process, so we will be gathering more data to see trends of issues in the due process findings.</p> <p>C. If you use district staff to conduct the facilitated IEP, parents historically have not viewed Departmental personnel as neutral. Sometimes the person with whom they have experienced conflict in the past is assigned to facilitate the IEP or resolution session process. A. We want to create safe spaces for all staff. Sometimes the facilitated IEP turns into a mini-resolution session.</p> <p>Q. Are you working with a specific group of people on improving conflict resolution? A. We are working with CADRE. With Steven, we can pull others in.</p> <p>C. As a parent who went through the complaint process, I felt it only led to due process, because it was so limited in what DOE would look at and consider. A. When a parent has a complaint, it isn't just about an IEP issue, but our response is to direct the parent to more than one office for various issues. Now we want to bring all the concerns into one office, by consolidating our practices to make the complaint process more parent and student friendly.</p> <p>C. That would be helpful, because currently parents are often diverted onto different tracks where it's broken down as an IEP issue or a FERPA issue, etc., and the whole process becomes more bureaucratic.</p>	
<p><b>Legislative Report</b></p>	<p>Ivalee reviewed the individual bills for which the Legislative Committee has monitored or provided testimony. She invited input from members for consideration in the next round of testimonies once the bills cross over to the opposite chamber. Given the extremely short turnaround between hearing notices and deadlines for testimonies, it is not practical to send out drafts to members prior to submittal.</p> <p><u>Questions/comments from members</u></p> <p>Q. Why does one of the autism bills have an implementation date of</p>	<p>A grid of the specific legislation SEAC is following was distributed.</p>

<p><b>Legislative Report (cont.)</b></p>	<p><u>Questions/comments from members (cont.)</u> 2050? A. It keeps the bill alive for discussion. Another option is to put in a sunset clause that allows for a trial of a program without setting it in stone. Q. Do we know why Autism Speaks opposes including Medicaid coverage for autism? A. One reason is that Medicaid law requires that you set aside funds to guarantee that every eligible insured could receive the maximum benefit; that makes the program look very expensive and it deters some folks who would otherwise support the overall bill. C. SEAC has been somewhat frustrated about the lack of ability to bring up questions at Board of Education Meetings. They don't appear to be open to other input. A. (Brian De Lima) The attitude of the Board is that there is not a need for individuals to come to speak on any item, because anyone can submit anything to us and all members get all materials. The elected Board met 200 days out of the year. We have cut it down to 24 full days. Q. Is there a happy medium between 200 days and 24 days? A. (Brian De Lima) Two meetings a month is sufficient. Any more would take the attention of DOE folks away from their current priorities and have a negative impact on Board members' lives. C. In Chair Horner's comments re: the Board of Education testimony bill, he mentioned a number of opportunities for input that we were not aware of. Would it be possible to put that information on the Board's website? A. (Brian De Lima) I'll take that suggestion back to the Board. Q. What is SEAC's position about making existing preschool classrooms inclusive and have general education parents pay for the service? A. That's a good suggestion. We are in favor of universal preschool which would naturally provide inclusive opportunities for preschoolers with disabilities. C. In my experience, I have seen several preschool classrooms that had only one or two students and were highly underutilized. C. That varies across the state.</p>	
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<b>Legislative Report (cont.)</b>	<u>Questions/comments from members (cont.)</u> <p>C. In one school on the Big Island a suggestion was made to invite non-disabled preschoolers into the classroom for a fee, and the administrator said it couldn't be done because of liability issues.</p> <p>C. It is difficult to tailor testimony to the Board's discussion, because even though the agenda is posted, handouts are not available, so it is not clear what will be discussed. A. (Brian De Lima) That is an issue. The Department is given a deadline for providing attachments, and they have been missing the deadline.</p> <p>C. A follow-along to the current Board bill would be to add a requirement to have the attachments available to the public in a timely way.</p> <p>C. The Board has already passed legislation to shorten the timeline that it has to post agendas from six days to three. It decreases the opportunity for the public to participate.</p> <p>C. The BOE/DOE Strategic Plan is supposed to be the driving force for reform; however, there are a number of objectives that don't have measurements determined as yet. A. (Brian De Lima) Yes, you're right. I'm planning to bring that up in an upcoming meeting. The Department has been collecting data, but metrics have not been developed for a lot of the data, particularly for Goal 3.</p> <p>C. For the bills on instructional hours, the consensus of the Board of Education is to advocate for more instructional days and hours in order to benefit students.</p> <p>C. Research supports that teacher training and effectiveness result in greater student achievement; it would behoove the Board to have research to back up your position on additional instructional days and hours.</p> <p>C. Regarding restraints, TASH has come up with a resolution against any restraints for a child with a disability. As a foster parent, I had training that stressed that one cannot use any physical punishment or restraints.</p> <p>C. The Developmental Disabilities Division is pushing forward with similar legislation on restraints and seclusion with a comprehensive plan for training and monitoring.</p>	
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<p><b>Legislative Report (cont.)</b></p>	<p><u>Questions/comments from members (cont.)</u>                  Q. Are parental consents required for constraints? A. There is no such process in place as yet.                  C. In most, if not all, of the cases of restraint at school, the common variable was untrained staff. Two training programs—Crisis Prevention Training and Prepare—train staff to get to the fire before it’s an inferno.                  C. All of the discussion on restraints is connected to previous discussion on parent notifications. When parents are asking about an adverse event report, it is an indication of trouble coming.</p>	
<p><b>Committee Meetings</b></p>	<p>Ivalee directed members to gather for discussion in one of the three new committees—Student Success, Staff Success, and Successful Systems of Support. To help focus the discussion, Susan highlighted some potential issues and additional data needs discussed at the Annual Performance Report. Committee work will be connected to developing the State Systemic Improvement Plan (SSIP). Shari added that OSEP has not yet finalized its regulations regarding the SSIP.</p>	
<p><b>Committee Reports</b></p>	<p><u>Student Success</u>                  Brende Ancheta is the recorder for the group and Martha Guinan is the Chair. Issues that the group is interested in addressing include absenteeism, school readiness, drop-out rates, implementation of the Common Core State Standards with students with disabilities, and a curriculum around safe schools with bullying as a subset.  <u>Staff Success</u>                  Bob Campbell reported that Debbie Cheeseman is the chair of the committee. One discussion point was whether using the percentage of educational assistants (EAs) is a reliable indicator of staff success, since most schools are using PPTs rather than EAs. The group would like to further define the issues and ask for data on the correlation between highly effective teachers and student performance. Once the relevant questions are re-worked, the committee will forward them to Ivalee with a request that she ask the Department for a response.</p>	

<p><b>Committee Reports (cont.)</b></p>	<p><u>Successful Systems of Support</u>                  Deborah Kobayakawa reported out as the recorder that Kau’i Rezentos will chair the committee. Members have chosen to look at family issues. They discussed strategies for gathering broader parent input including reaching out to community groups, CCC meetings, parent support groups, using a talk-story approach, etc. The Parent Survey for special education parents should be offered in various formats, including on-line. Giving it out at the IEP may not be the best option as one cannot maintain anonymity. The group is also interested in finding ways to increase parent training opportunities.</p>	<p>Ivalee will provide draft policies for Family-School Partnership and CSSS.</p>
<p><b>Health Care Access for Children in Foster Care</b></p>	<p>Tricia Sheehey asked to bring up a problem facing resource care providers (formerly foster parents) and the children in their care as a way of raising awareness. She and her husband are resource care providers for their twenty-month old granddaughter, who has been uninsured since August. In order for a child in foster care to get medical care, including immunizations, the resource care provider must pay out of pocket and get reimbursed. Although her family has the ability to front-end pay, other families cannot. Foster children appear to be a low priority for health insurance.</p>	