

SPECIAL EDUCATION ADVISORY COUNCIL

Minutes – March 14, 2014

9:00 a.m. – 12:00 p.m.

PRESENT: Brendelyn Ancheta, Tammy Bopp, Bob Campbell, Annette Cooper, Gabriele Finn, Martha Guinan, Debbi Krekel, Valerie Johnson, Dale Matsuura, Maria Merry, Kenneth Powell, Barbara Pretty, Kauai Rezendes, Susan Rocco, Tricia Sheehy, Ivalee Sinclair, Tom Smith, Lani Solomona, Jan Tateishi, Amy Wiech

EXCUSED: Debbie Cheeseman, Shari Dela Cuadra-Larsen, Tami Ho, Barbara Ioli, Bernadette Lane, Stacey Oshio, Zaidarene Place, Cari White, Susan Wood

ABSENT: Bernadette Lane

GUESTS: Ian Nieblas, Steven Vannatta

TOPIC	DISCUSSION	ACTION
Call to Order	Chair Ivalee Sinclair called the meeting to order at 9:15 a.m.	
Review of the February 14, 2014 Minutes	A spelling correction was made to a comment under the Special Education Director’s Report on page 3: “As a parent who went through the complaint process, I felt it only <i>led</i> to due process, because it was so limited in what DOE would look at and consider.”	The minutes were approved as corrected.
Personal Testimony of the Transition Process	Ian Nieblas, the 23 year old son of Deborah Kobayakawa, shared his transition from Kalani and Castle High Schools to working as a Courtesy Clerk at Safeway. Ian, who has an intellectual disability, described his opportunities to work at various jobs and receive a paycheck while still in school. His mother Deborah emphasized the importance of case management from the Developmental Disabilities Division and DD Waiver supports to supplement Ian’s special education services and allow him to acclimate to a program at Goodwill while still in school. Deborah also described the roles of over two dozen other individuals who contributed to Ian’s success. She stressed the need for DOE transition teachers to improve their skills of working across systems.	
Special Education Director’s Report	Steven Vannatta shared the following updates from Shari Dela Cuadra-Larsen who was unable to be present to give her report: <u>Status of the Parent Notice re: Adverse Events at School</u> There has been no movement to report on this issue. <u>Status of SEAC Review of Draft Parent Guide</u> The guide is still being reviewed by the Attorney General’s Office. <u>Update on Chapter 19 Guidelines</u> Jean Nakasato would like to present information regarding the guidelines and training in the field at the April SEAC meeting. She requests forty-	

<p>Special Education Director's Report (cont.)</p>	<p>five minutes on the agenda. <u>Update on Response to 9th Circuit Court Decision in E.R.K. v. Hawaii DOE</u> The attorneys for the Department and the plaintiffs are still meeting, so no information can be shared at this time. Steven was asked to convey to Shari that SEAC is interested in how DOE is communicating with families as the resolution to the E.R.K. decision progresses. <u>Access to Po'okela Modules</u> Susan Rocco reported that Shari confirmed that Debbie Farmer tried to send over the modules electronically, but the files were too big. She asked Steven to request that Shari work with Debbie to get the information shared with SEAC members. <u>Comments from members</u> C. (Ivalee) I spoke with Paul Alston (the plaintiff attorney in E.R.K.), and he is still discussing whether to appoint a Master. He is making an effort to include vocational education and training as an option for the plaintiff class and says there is a lot of case law that prescribes what should be done when you are on a certificate track. C. Paul has a blog, and the address is http://hawaiilitigation.com/. C. My husband and I also talked to him about the decision, and what impressed me is that he wants something solid for these students, not caretaking. The DOE told him it would only affect about ten kids. C. Ian's successful transition is the exception, not the rule. We were told "we don't do that until age eighteen." C. Parents are not aware that if a transition teacher doesn't have the necessary training, training for the teacher can be put into the IEP under modifications and supports. C. When parents put that in the IEP, it creates a lot of tension and teachers are offended; you have to be careful. C. I put it in my son's IEP, and it was ignored.</p>	<p>Steven will request that Shari provide information to SEAC on communication to E.R.K. eligible families and when and how the Po'okela modules will be shared with SEAC members.</p>
<p>Application for Part B IDEA Funds</p>	<p>Ivalee reported that Shari has invited SEAC members to review the Department's annual application for federal IDEA monies. It is posted on the DOE website on the special education page, and comments are due by</p>	<p>Bob Campbell, Martha Guinan, Tricia Sheehy, Amy Wiech, Steven Vannatta and</p>

<p>Application for Part B IDEA Funds (cont.)</p>	<p>April 14th. Bob Campbell and Ivalee suggested that a small group take a look at the application to see where the monies are being spent. A concern of several members is that there has been a lot of emphasis in the Department on staff success, but teachers are reporting that they are not provided needed training and many administrators don't appear to understand IDEA or Chapter 60.</p>	<p>Deborah Kobayakawa volunteered to join Ivalee in a subgroup to review Hawaii's Part B IDEA Fund application.</p>
<p>SEAC Participation in the SPIN Conference</p>	<p>Ivalee urged members to attend the conference and reminded them that Barbara Ioli is still looking for a few more volunteers to man SEAC's information table.</p>	<p>Volunteers for the SEAC table at the SPIN Conference will contact Barbara Ioli.</p>
<p>Legislative Report</p>	<p>Ivalee reported on the hectic pace of legislation and the following specific legislative topics:</p> <p><u>Autism insurance</u>. The bill to mandate insurance coverage for children and youth with autism was heard earlier in the week with lots of testimony. One question is whether the Affordable Care Act will cover Applied Behavioral Analysis. The insurance companies are rumored to be pushing for a cap on coverage after age nine, with the assumption that DOE provides all services after that. SEAC's position is that the coverage should extend through high school.</p> <p><u>Restraints and seclusion</u>. A bill to clarify when restraints may be used and to prohibit the use of seclusion in public schools has been made clearer with the help of John Deller. Chemical and mechanical restraints were also banned. Ivalee has asked the Department how much money it needs for training.</p> <p><u>Epinephrine auto injectors</u>. Several bills regarding the use of epi-pens for students with anaphylaxis are progressing.</p> <p><u>Instructional hours</u>. There are four bills relating to instructional hours or days. There is an understanding that requiring 1080 hours of instruction or 190 days of instruction would require additional resources and negotiation with the teachers' union.</p> <p><u>Early childhood programs</u>. Bills to allow the use of vacant classrooms for early childhood education and to fund more quality preschool programming are progressing with broad support.</p>	

Legislative Report (cont.)	<p><u>IDEA age limit.</u> A Senate bill to change the statute to reflect IDEA eligibility up to age twenty-two has been unopposed. SEAC submitted testimony requesting that archaic language in the statute be updated; however, it appears that will take a separate initiative to accomplish.</p> <p><u>Family-school partnerships.</u> The Coalition for Children with Special Needs (of which SEAC is a member organization) did not get a request in on time to extend the current family-school partnerships resolution.</p> <p><u>Board of Education testimony.</u> The Senate version of this bill to require the BOE to accept public testimony on any topic is still alive.</p> <p><u>Cochlear implants.</u> Tammy Bopp from the Early Intervention Section reported that there is a bill to support children with cochlear implants.</p>	
Committee Meetings	<p>Members convened in three standing committees for discussion—Student Success, Staff Success, and Successful Systems of Support.</p>	
Committee Reports	<p>Student Success Committee Martha Guinan reported that the committee is discussing various programs to address bullying in schools and create a safe environment for learning. The other main issue discussed is how to gather information about the causes of the significant reduction in due process hearing decisions. One avenue may be to survey plaintiff attorneys.</p> <p>Staff Success Committee Bob Campbell reported that members discussed two necessary supports for staff success—mentoring and induction and curricular adaptations for students with disabilities—and existing barriers to their effectiveness. The one-size-fits-all design of the mentoring and induction program requires school staff to provide supports to the mentees in the second year. With special education teacher populations so small, the pool of mentors may consist of an overworked department head and 2nd year teachers. The committee plans to look at and verify the metrics that mentoring programs are using to measure success. Curriculum selection is often made without special education expertise, and often adaptations to a particular curriculum are not purchased.</p> <p>Successful Systems of Support Committee Deborah Kobayakawa reported that the group is continuing to look at</p>	

Committee Reports	Successful Systems of Support Committee (cont.) ways to improve the parent survey required by the Office of Special Education Programs as a tool to measure quality services and parent-school partnership. Members would also like to review the School Quality Survey and plan to contact the Board of Education to request the latest survey results. A third survey of interest is the Hawaii Youth Risk Behavior Survey, and Maria Merry was requested to research this survey for the group. Tammy Bopp added that a lot of information is shared with parents initially in the early intervention section, and the committee is looking for ways to get more information to parents and teachers, so that they are aware of all the supports that students with disabilities need, as well as how to access them. In particular, the committee would like to compile a complete listing of parent support groups. Susan Rocco suggested that they start with the list recently updated by SPIN for the upcoming conference.	
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