

SPECIAL EDUCATION ADVISORY COUNCIL

Minutes – April 11, 2014

9:00 a.m. – 12:00 p.m.

PRESENT: Brendelyn Ancheta, Tammy Bopp, Bob Campbell, Debbie Cheeseman, Annette Cooper, Shari Dela Cuadra-Larsen, Gabriele Finn, Martha Guinan, Valerie Johnson, Dale Matsuura, Maria Merry, Kenneth Powell, Barbara Pretty, Kauai Rezentes, Susan Rocco, Tricia Sheehey, Ivalee Sinclair, Tom Smith, Lani Solomona, Susan Wood

EXCUSED: Tami Ho, Barbara Ioli, Stacey Oshio, Zaidarene Place, Rosie Rowe, Jan Tateishi, Cari White, Amy Wiech

ABSENT: Bernadette Lane

GUESTS: Jean Nakasato, Steven Vannatta

| TOPIC | DISCUSSION | ACTION |
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| Call to Order | Chair Ivalee Sinclair called the meeting to order at 9:10 a.m. | |
| Chapter 19 Guidelines | <p>Jean Nakasato, Educational Specialist from the Comprehensive Student Support Services Section, briefed members on the Chapter 19 Implementation Guide, intended for use by administrators, and on past and future training activities for this group. Holly Shikada, Deputy Attorney General for education, has been a training partner. Jean shared a brief history of school discipline efforts from the 1950's to the present, and the current emphasis on ensuring a positive school climate and preventing problem behavior.</p> <p><u>Questions/comments from members</u></p> <p>Q. Does the Board of Education still have a Zero Tolerance policy for certain behaviors? A. The section in Chapter 19 on prohibited student conduct (§8-19-6) allows for administrator discipline discretion in even Class A offenses.</p> <p>Q. Have you shared with administrators that recent research shows that any suspension of a student has been correlated with higher drop out rates, lower graduation rates and poorer academic performance? A. I plan to address those findings when we do follow-up training next school year.</p> <p>C. Suspensions are sometimes reinforcing to the student, because it gets them out of school.</p> <p>C. At my school 30% of the students who are sent to the office for discipline do not respond appropriately. Q. Where can I get the research to back up your directive for positive behavioral supports? A. You can go to your PBS team, if your school has one, or to the pbis.org website.</p> <p>C. One problem is that teachers have set protocols for classroom</p> | <p>A handout entitled “Student Discipline Yesterday, Today and Tomorrow” was distributed to members. A Chapter 19 Implementation Guide was passed around for members to take a quick look.</p> |

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| <p>Chapter 19 Guidelines (cont.)</p> | <p>management, and don't know how to individualize discipline for a student. Q. If a student is suspended and there is no adult at home, do you take that into consideration? A. The school administrator would have to look at that. Q. Were all administrators trained in round one of your training? A. Yes we trained all principals and vice-principals. Q. We're having a problem in North Hawaii of kids with autism being suspended. Do you have a referral? A. Raise it to Art Souza's attention. C. In our area, one person does behavior interventions well and the rest do not. It's a resource issue. C. DOE has known about positive behavioral supports as part of a comprehensive student support system for twenty years. For every suspension, there are supposed to be tiered supports. Q. What is being done at the state level to make sure this process is in place. A. We have a rubric with a four point scale, and the CAS is supposed to self-report incidents. Q. What resources would you need for independent monitoring to get an actual handle on what is happening? A. We don't have those resources now. Q. Does it appear that the administrators are providing truthful reporting? A. There are lots of gaps. Q. Do you have a projected date to be able to tell if schools are implementing the Chapter 19 guidelines correctly? A. I'll take that question back to the Deputy Superintendent. C. Initially, SEAC was told that the Chapter 19 guidelines would be posted, so that all stakeholders could benefit from the information. Q. Since the Department has decided not to share them with the public, would you be open to having SPIN and SEAC create a family-friendly version of the guidelines for distribution to any interested stakeholder? A. Yes.</p> | |
| <p>Announcements</p> | <p>1. Barbara Ioli announced that she found a legal notice in the Star Advertiser on April 9th aimed at class members of the E.R.K. decision who may be eligible for compensatory education. The notice required a response by April 15th, and Barbara asked if</p> | |

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| <p>Announcements (cont.)</p> | <p>members knew of families that were contacted in another manner. Susan Wood said she received a letter, and it stated that she had to sign a paper, if she didn't want her son's name disclosed to the plaintiff attorney.</p> <ol style="list-style-type: none"> 2. Susan Rocco announced that the May meeting will be followed by an annual appreciation luncheon at Spaghetti Factory. 3. Martha Guinan announced that the Center on Disability Studies is seeking a grant through the Native Hawaiian Education Act. The grant—"Let's Grow Together"—serves high school students with disabilities and works on six career pathways leading to post-secondary education or employment. Martha asked if SEAC is willing to write a letter of support for the grant. | <p>Members were asked to specify their menu preferences for the May 9th luncheon.</p> <p>Members agreed to write a letter of general support and asked to be kept apprised of the grant outcome.</p> |
| <p>Review of the March 14, 2014 Minutes</p> | <p>Deborah Kobayakawa corrected information about her son Ian's age and disability. She added that after his presentation to SEAC, she also learned that he is hearing impaired and needs hearing aids. Maria Merry clarified that she was requested to research the Youth Risk Behavior Survey rather than volunteering for the task.</p> | <p>The minutes were approved as corrected.</p> |
| <p>Special Education Director's Report</p> | <p>Shari Dela Cuadra Larsen reported on the following items: <u>New Director for the Special Projects Office</u> Cara Tanimura has been selected to head up the Special Projects Office beginning April 10th. She was formerly the Director of the Systems Accountability Office. In her new role, Ms. Tanimura will be the liaison to the Superintendent for SEAC and attending the May meeting. <u>OSEP Request for Information on the Use of Results Data in Monitoring</u> The Office of Special Education Programs (OSEP) is asking for stakeholder input by April 25, 2014, on how best to use results data (such as graduation rates, performance and proficiency on statewide assessments and post-school outcomes) in its accountability system under IDEA. <u>OSEP Request for Comments on its Proposed SPP/APR</u> OSEP is also seeking comments by April 24, 2014 on its proposed changes to the State Performance Plan and Annual Performance Report. From Shari's perspective, this latest request contains clarifications rather than major changes to the previous draft proposal to add an indicator of a</p> | <p>Susan Rocco will send out information on the request for information to members.</p> |

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| <p>Special Education Director’s Report (cont.)</p> | <p><u>OSEP Request for Comments on its Proposed SPP/APR (cont.)</u> statewide systemic improvement plan (SSIP). Shari has done some work on a framework for the SSIP, integrating comments regarding personnel development (specifically around IEP teams) to improve compliance and results. Ivalee asked Shari to convey to Cara that SEAC would like to be involved in the planning and development of the SSIP. Both she and Martha Guinan thanked Shari for her openness and support to SEAC. Susan Rocco added that she had reviewed all 44 pages of OSEP’s response to comments from its original 2013 posting of draft provisions to the SPP/APR in order to determine if any of the comments offered by SEAC in its June 14, 2013 letter to the U.S. DOE had resulted in changes to the draft. SEAC had suggested a more precise definition of the term “disproportionality.” While not specifically defining “disproportionate representation,” the 2014 SPP/APR encourages every state to review and refine its own definition with stakeholder input. OSEP also stressed stakeholder involvement by requiring stakeholders to be included “throughout the process of developing, implementing, evaluating and revising the SSIP, and included in establishing the State’s targets under Indicator 17.”</p> | |
| <p>SEAC Input on School Report Card</p> | <p>Dave Moyer, a Data Fellow for the Department, shared his current task of redesigning a school report card that summarizes school performance. The current report card, developed to comply with the No Child Left Behind mandate to communicate test results with parents and the community, is not as useful to stakeholders as it could be. Now that data are changing due to the new Strive HI metrics and there are more tools to create high-quality reports, Dave is asking various stakeholder groups to identify the kinds of data that would be helpful to them. He envisions producing a variety of reports in order to encompass the wide range of data groups are requesting (for example, a military report, a special education report, a Native Hawaiian report, etc.). His timeline for creating some broad documents is January 2015. Input from SEAC members on useful elements to include in a special education report comprised the following:</p> | |

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| <p>SEAC Input on School Report Card (cont.)</p> | <ul style="list-style-type: none"> • To what degree a school is providing inclusive education (and include a definition of <i>inclusion</i>, <i>full inclusion</i>, etc.); • Separate test scores for special education students, so that they are not masked by ELL or disadvantaged student performance; • Scoring on OSEP indicators by school; • School-based behavioral health (SBBH) and Chapter 19 data; • Data tables that allow data to be moved around (not PDF); • Rates of absenteeism and suspension for special education students compared to general education students; and • Teacher credentialing and training paired with the needs of the students he or she educates. <p>Other issues discussed were the lack of school choice for students with disabilities, the right of children to attend their neighborhood school despite low incidence disabilities, and the importance of linking the report to the state systemic improvement plan (SSIP).</p> <p>Dave asked that SEAC forward a list of desired data to him, so that he can see if the data is readily available. He added that some items on the list might be difficult to pursue but high priority.</p> | <p>Ivalee directed members who would like to join a work group to develop a data list for Dave to contact Martha, Susan or herself.</p> |
| <p>Report from SPED Part B Application Subgroup</p> | <p>Bob Campbell reported on the recommendations of the subgroup tasked with reviewing Hawaii's Application for Part B Funds under the Individuals with Disabilities Education Act (IDEA). Comments on the application have been requested by April 14th. Bob explained that the \$3.9 million for state level activities that the group addressed was 9.5% of the total IDEA funds received by the State. Among the subgroup's recommendations were: 1) to increase monies available for monitoring, 2) to increase monies for technology support, 3) to increase monies for testing accommodations, and 4) to redistribute monies set aside for technical assistance to low-performing schools and state level funds for support, professional development and direct services. In redistributing monies, the subgroup made a distinction between state level and complex area level responsibilities. Shari expressed appreciation for SEAC's participation in the process. Bob recommended that SEAC write to</p> | <p>Two handouts from the subgroup, including powerpoint slides and a grid comparing DOE and SEAC funding recommendations were distributed to members. Members accepted the subgroup's recommendations and directed that they be forwarded to the Special Projects Office by April 14th.</p> <p>Susan and Ivalee will draft a letter to the Superintendent</p> |

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| Report from SPED Part B Application Subgroup (cont.) | the Superintendent to explain the logic behind SEAC’s recommendations. Susan Rocco added that the subgroup also briefly reviewed and agreed with OSEP’s tentative plan to use graduation data, participation and proficiency on statewide assessments and post-school outcomes as its primary performance indicators for accountability. | and send it to members for review and input. |
| Legislative Report | Ivalee reviewed the major legislation that SEAC has been following this session that is still alive, including bills on the following subject matter: seclusion and restraints, autism insurance coverage, requiring the Board of Education to hear public testimonies on items not on the agenda, the administration of epinephrine to students in anaphylaxis, funding for early childhood education, and additional funding in the Department of Education’s budget to serve over-age students. | |
| SEAC By-Laws | Members were given a copy of the by-laws that were last updated in 2008 and asked to review them for possible revision at the May meeting. | |
| Committee Updates | Ivalee asked the committees to share their priorities for the rest of the year. The Student Success Committee is gathering information on effective programs to address bullying and discussing strategies to determine if parents and students are experiencing difficulty accessing legal representation for due process. Ivalee reported for the Staff Success Committee that she asked the Executive Director of the Board of Education about setting up a presentation on secondary transition, and was told that every request must be in writing. The Successful Systems of Support Committee is looking into family-school partnerships and gathering information on parent support groups and the Youth Risk Behavior Survey. | |
| Parent Notice Regarding Adverse Events | Since there has been no action all year on SEAC’s request to the Department for a policy or protocol on notifying parents regarding adverse events at school that negatively impact students, members discussed various strategies including 1) writing to the Superintendent, 2) writing to Jean Nakasato to ask for clarification regarding notification to parents of victims of Chapter 19 offenses, and 3) getting involved in the implementation of the restraints and seclusion bill’s requirements that include parent notification. | |

Corrected and Approved