

**SPECIAL EDUCATION ADVISORY COUNCIL**

**Minutes – April 12, 2013**

9:00 a.m. – 12:00 p.m.

**PRESENT:** Brendelyn Ancheta, Tammy Bopp, Bob Campbell, Debbie Cheeseman, Shari Dela Cuadra-Larsen, Gabriele Finn, Martha Guinan, Barbara Ioli, Deborah Kobayakawa, Shanelle Lum, Dale Matsuura, Eleanor MacDonald, Stacey Oshio, Barbara Pretty, Kauai Rezentes, Susan Rocco, Melissa Rosen, Patrick Sheehey (for Tricia Sheehey), Ivalee Sinclair, Tom Smith, Mike Tamahaha, Jan Tateishi

**EXCUSED:** Annette Cooper, Phyllis DeKok, Tami Ho, Bernadette Lane, Rachel Matsunobu, Zaidarene Place, Cari White

**ABSENT:** Cassandra Bennett, Jyo Bridgewater, Dan Ulrich

**GUESTS:** Brian De Lima, Debbi Krekel, Steven Vannatta

TOPIC	DISCUSSION	ACTION
<b>Call to Order</b>	Ivalee Sinclair called the meeting to order at 9:10 a.m.	
<b>Input from the Public</b>	<p>Members and guests offered input on three broad issues that have been problematic for students and parents that they serve or with whom they are acquainted.</p> <p><u>Input Area #1 – Notification of Parents When an Adverse Event Occurs at School</u></p> <p>Examples of adverse events to students with disabilities that entailed delayed or no notification to parents included the following:</p> <ul style="list-style-type: none"> <li>• injury to the student;</li> <li>• harassment not involving injury;</li> <li>• drug searches based on anonymous tips;</li> <li>• medication administration errors;</li> <li>• restraint by school personnel; and</li> <li>• traumatizing events involving classmates or school mates which the student may have witnessed.</li> </ul> <p>Members questioned whether there are existing protocols or policies in place regarding parent notification, and if so, whether the protocols are being consistently followed. Shari Dela Cuadra-Larsen shared that Chapter 19 guidelines are due out this month or next month; however, Bob Campbell pointed out that Chapter 19 deals more with the perpetrators of misconduct and not the victims. Brian De Lima suggested that it might be helpful for SEAC to write a letter to the Board of Education expressing concerns about expeditious notifications of parents and suggesting language that could be inserted into a Board policy. Ivalee asked for volunteers to help draft the letter to the Board.</p>	<p>Shari will get more information about the release of the Chapter 19 guidelines and existing protocols for parent notification. Tom Smith, Bob Campbell, Barbara Ioli, Brende Ancheta and Debbi Krekel volunteered to draft language for the letter to the Board.</p>

<p><b>Input from the Public (cont.)</b></p>	<p><u>Input Area #2 – Fewer students eligible for special education</u>          Ivalee reported on a military family whose child was receiving special education services in another state, and who was told upon arrival to Hawaii that their child might not qualify for services. Other members expressed concern that the reduced number of students receiving special education services may reflect a reluctance on the part of schools to refer students for evaluation. Debbie Kobayakawa reported that the Learning Disabilities Association of Hawaii has been getting a lot of phone calls from families regarding eligibility, and they are advising them to document their requests. Ivalee asked Shari who was monitoring schools regarding identification and evaluation, and Shari replied that it is included in the general supervision and support process. Susan Rocco pointed out that some schools are only monitored every three to four years.</p> <p><u>Input Area #3 – Proposed restriction in early intervention services</u>          Bob Campbell reported that the Department of Health will be holding public hearings beginning in April and May regarding its proposed administrative rules for early intervention services (Part C of IDEA). The military community he represents is quite concerned about a change in eligibility criteria from a one standard deviation of delay to a one and a half standard deviation of delay that will effectively exclude 30% of the infants and toddlers currently served under Part C. Debbie Krekel added that these excluded children are likely to seek services from the DOE at age three, thereby straining diagnostic resources. Members agreed to have SEAC provide testimony in opposition to the change in eligibility criteria and write a separate letter to the Superintendent, apprising her of the facts.</p>	<p>Shari will look for possible patterns of under-identifying students in the disaggregated data she is privy to.</p> <p>The Legislative Committee along with Bob, Debbie and Susan will draft testimony for the proposed Part C administrative rules and send it out to members for comment prior to submission. Ivalee and Susan will write to the Superintendent to alert her to the proposed changes.</p>
<p><b>Announcements</b></p>	<p>Barbara Ioli announced that Waipahu High School’s principal was awarded an Excellence in Leadership award. Jan Tateishi reminded members to indicate their menu preferences for the May 10<sup>th</sup> SEAC luncheon. She also thanked Barbara for her leadership in organizing a SEAC table at the April 6<sup>th</sup> SPIN Conference.</p>	
<p><b>Review of March 8, 2013 Minutes</b></p>	<p>Tom Smith clarified that under <b>Input from the Public</b>, the contracts for “BINT” rather than “BISS” services have not been extended.</p>	<p>The minutes were approved as corrected.</p>

<p><b>Report from the Special Education Director</b></p>	<p>Shari reported on the following items:  <u>Impact of the Sequester</u>          The Governor and the Superintendent received letters from the U.S. DOE telling Hawaii to expect a 5.124% decrease federal education funds. President Obama has requested no cuts from Congress to IDEA funds; however, the resolution of the final budget is uncertain.  <u>Legislative Cuts to the DOE Budget</u>          The final outcome of DOE's budget request is also uncertain; however, it looks as if they will be facing significant cuts. Ivalee added that the Senate version of the budget, while it contains cuts as well, is more generous than the House version.  <u>Annual Performance Report Process</u>          Shari announced that the Office of Special Education Programs is asking for public comment on its proposed changes to the APR. Ivalee asked for a copy the 2011 APR that was submitted in February 2013, as well as any feedback the Department received from OSEP regarding the report.  <u>Sending Written Complaints via Certified Mail</u>          Shari researched the issue presented at the March meeting regarding having a mechanism in the Complaints Office to receive certified mail. Despite the parent's preference to have a receipt showing when the complaint arrived, there is no requirement to send the complaint via certified mail, and the Department prefers that parents utilize regular mail instead. They are not able to accept a complaint via email or fax, as they cannot verify the sender. Martha Guinan asked if the Due Process Committee could receive copies of the written complaints as in former years.</p>	<p>Shari will send Ivalee and Susan a link to the OSEP documents to share with members. She will also release the 2011 APR.</p> <p>Shari will look into the Due Process Committee's request for copies of complaints and respond to Martha.</p>
<p><b>Update on WestEd Recommendations</b></p>	<p>Ivalee shared with members that she learned a few days ago that the WestEd Final Report and the Department's response would be an agenda item on the April 16<sup>th</sup> Student Achievement Committee (BOE). SEAC has still not received a copy of the Final Report, as promised by Ronn Nozoe. Members agreed to submit testimony and a draft will be prepared for quick review by members on Monday, April 15<sup>th</sup>.</p>	<p>Brian De Lima and Shari will get a copy of the report to SEAC ASAP. Tom Smith, Bob Campbell and Debbie Krekel volunteered to assist with the draft.</p>

<p><b>Legislative Report</b></p>	<p>Ivalee reported on the following legislative measures:</p> <ul style="list-style-type: none"> <li>• The early childhood bills have passed the Senate.</li> <li>• The Senate version of the dyslexia awareness bill passed and its wording is preferable to the House version.</li> <li>• The family school leave bill died because not enough groundwork was done with the business community.</li> <li>• The Senate version of the DOE budget is allowing for 88 positions for Autism personnel.</li> <li>• The family-school partnership resolution is on track and calls for infusing FSP into the Comprehensive Student Support Services (CSSS) policy.</li> <li>• A bill regarding instructional hours is adding project based learning to the definition.</li> </ul> <p>Patrick Sheehey had two comments regarding instructional time: 1) teachers spend a lot more time on education than people perceive; and 2) many electives are being eliminated to focus on math and literacy, and the students who benefit from electives are short-changed. Brian added that the Strategic Plan is committed to a broad-based holistic education.</p>	
<p><b>PaCom Quality of Life in Education</b></p>	<p>Bob alerted members that the Pacific Command has started a Face Book page to provide information about quality education to military families relocating to Hawaii and to create dialogue on what is happening here in the public education arena for military families.</p>	<p>Susan will send out the link to the Face Book page.</p>
<p><b>Committee Meetings</b></p>	<p>Members met in their respective committees (Due Process, Legislative, Personnel and Transition) and were asked to begin preparing for the Annual Report by documenting activities and future priorities.</p>	
<p><b>Committee Reports</b></p>	<p><u>Due Process Committee</u>          Martha Guinan reported that members talked about recommendations they want to make to the Superintendent and next steps. The next report on due process will be presented at the August meeting.</p> <p><u>Personnel Committee</u>          Debbie Krekel was invited to join the committee and reported that they are calling on the Department to provide a comprehensive plan for a personnel</p>	

<b>Committee Reports (cont.)</b>	<p>Personnel Committee (cont.) System that meets the needs of children with disabilities and includes:</p> <ul style="list-style-type: none"><li>• Clear job descriptions and responsibilities,</li><li>• Evidence-based practices,</li><li>• Inservice training, and</li><li>• Careful matching of skill sets with the needs of students.</li></ul> <p>Their future vision is for a database of skilled personnel.</p> <p><u>Transition Committee</u> Members discussed adding a recommendations: developing off-campus work experiences for students, as well as a future direction: working toward holding transition fairs for all islands. A Windward Transition Fair is scheduled for October 2013.</p> <p><u>Legislative Committee</u> Members prioritized getting testimony drafted regarding the WestEd Report recommendations and Part C administrative rules.</p>	
--------------------------------------	--	--