SPECIAL EDUCATION ADVISORY COUNCIL

Minutes – November 13, 2015

9:00 a.m. – 12:00 p.m.

**PRESENT:** Brendelyn Ancheta, Tammy Bopp, Debbie Cheeseman, Shari Dela Cuadra-Larsen, Gabriele Finn, Sage Goto, Martha Guinan, Valerie Johnson, Amanda Kaahanui, Bernadette Lane, Zaidarene Place, Barbara Pretty, Kau`i Rezentes, Susan Rocco, Rosie Rowe, Tricia Sheehey, Amy Wiech, Jasmine Williams, Susan Wood

**EXCUSED:** Debbie Kobayakawa, Dale Matsuura, Stacey Oshio, Ivalee Sinclair, Tom Smith, Lani Solomona, , Todd Takahashi, Dan Ulrich

**ABSENT:** Bob Campbell, Annette Cooper

**GUESTS:** Ryan Guinan, Brian De Lima, Dallas Star, **S**teven Vannatta

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| **TOPIC** | **DISCUSSION** | **ACTION** |
| **Call to Order** | Chair Martha Guinan called the meeting to order at 9:12 a.m. |  |
| **Announcements** | * Susan Rocco thanked members for donating slippers to the annual drive sponsored by Jan Tateishi and Lani Solomona to collect new rubber slippers for youth who are served by the Homeless Concerns Office. She announced that the drive would be extended through the December SEAC meeting. * Amanda Kaahanui announced that there was a Get Well card circulating for Ivalee Sinclair. |  |
| **Review of Minutes from October 16, 2015** | Jasmine Williams corrected two sentences in the **Discussion Regarding Student Privacy and the Student Publication Audio Release Form**: the last sentence on page 1 referenced her grandson (not her son) and her comment was that her son’s principal stated that it was not possible to change the release form (not that it was impossible to put a statement in the IEP). | The minutes were approved as corrected. Members were reminded that corrected minutes are posted at [www.seac-hawaii.org/meetings/minutes](http://www.seac-hawaii.org/meetings/minutes). |
| **Special Education Director’s Report** | Shari Dela Cuadra-Larsen reported on the following:  State Performance Plan/Annual Performance Report  Debbie Farmer is planning to come in December to discuss the APR data and the SPP/APR process. She ususally sends out data three weeks ahead of the meeting; however she is still working on the assessment piece (SBAC).  State Systemic Improvement Plan (SSIP) - Phase I Input  Shari reminded members that her office had asked stakeholders to look at the Phase I report and submit questions using the Google form posted on the DOE website. As of November 12th, she had received good questions about moving forward on parent engagement, and her team is determining how to respond. | Shari will share with SEAC the questions and answers received regarding Phase I after the 11/13/15 deadline for input. |

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| **Special Education Director’s Report (cont.)** | SSIP – Phase II  Shari and her Core Team attended a conference in Washington, D.C. last week, hosted by the Center for Systemic Improvement. Hawaii received a lot of validation for being further along in the process than any other state. Many of the documents submitted by Hawaii in Phase I will satisfy Phase II. She and Monica Mann, who is responsible at the state level for the Complex Area Support Teams, met and made a plan to focus on the achievement gap between special education and general education student performance.  SSIP – State Identified Measurable Result (SIMR)  While the original SIMR was 3rd and 4th grade reading proficiency and growth, the target is now *literacy* in keeping with the Smarter Balanced Assessment. There will be a focused strategy involving the five areas of need outlined for improvement. Shari’s team has received some pushback that the six priority strategies will not help students with disabilities, but they are determined to see that they do. Leadership has placed a focus on the achievement gap.  SSIP – Next Steps  Shari is pulling together a group of teachers to work on the implementation plan the last week of November. In parallel, she will be working with CAST. When the special education SBAC scores are available in December, there will be a baseline from which to set targets.  On January 14th, Cesar D’Agord will be present for a smaller department and community meeting, as well as an all-CAST internal meeting, including Complex Area Superintendents. Initial discussions are that English Language Learning (ELL) and special education will be looked at together. In February, Shari’s team will accept final feedback on Phase II.  Comments/questions from members and guests  C. Please ask Debbie Farmer to present background information on each indicator. Last year’s exercise on target setting for the 16 indicators was hampered by a lack of information. Ultimately, almost all the results targets were lowered, although it is unclear who provided input and how | SSIP target setting will be conducted on-line in December. |

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| **Special Education Director’s Report (cont.)** | Comments/questions from members and guests (cont.)  decisions were made. A. Last year was a baseline year.  Q. What about literacy will you be examining? Will you be looking at the five building blocks of reading (rate of speed, reading comprehension, etc.)? A. We will talk about it when we bring teachers together. We don’t know how teachers in the field will accept our plan. The level of detail required by the U.S. DOE might be different than what is presented to the field.  Q. We all know that our children with disabilities have a big issue with reading, and there is lots of research showing the five big pieces needed for reading success. Why are we concerned about whether teachers or principals are willing to carry out the strategies? A. We are trying to figure out with teachers how to implement the strategies rather than coming from the top down.  Q. What is your response to the pushback that the six strategies don’t work for special education kids? A. The strategies are not being implemented with fidelity everywhere. We are working with OCISS, OSEP and leadership to improve implementation.  Q. Are SEAC members considered stakeholders or partners? A. I think stakeholders are partners.  C. There is no way that SEAC members are partners.  Q. It feels like SEAC is consulted to check off the box. If you are working toward parent and community engagement, wouldn’t that be included in one of the six strategies, so that it has a level of importance? A. Parent and community engagement has to integrated into all strategies.  C. When problems arise regarding our own children, there is pushback when we advocate on their behalf. Your overriding philosphy should be minimizing the anxiety of parents and having a can-do, supportive attitude. If a parent feels overwhelmed, then whoever is working with the child is not doing their job of empowering that parent.  C. The six strategies are good, but CSSS is woefully inadequate. Classroom teachers are not supported with resources and money. IEPs are not fully supported by service providers due to resource allocation. The |  |

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| **Special Education Director’s Report (cont.)** | Comments/questions from members and guests (cont.)  bottom line is how to get resources for students who are not progressing. If we continue to focus on the SSIP and implementation deadlines, we are playing the game of minimizing allocation of resources. Last year, DOE wanted to use $9 million in special education salary savings to balance the budget. Even though there were not enough qualified teachers for positions, the money was not used to provide other needed resources.  C. The Board of Education has been educated to see that SEAC has a lot of value. You should use your power to get more money for special education. Ask for an emergency response to this problem.  Q. If there are salary savings, why is it so difficult to get Extended School Year and other services in IEPs? A. (Brian) Those examples have to be articulated to legislators. However, legislators may say to DOE to find money within their own budget, and special education is allocated by numbers, not by the severity of need.  C. Sometimes the allocation depends on the District Education Specialists and their own priorities.  C. On a positive note, I was recently at a national conference and learned that Cesar D’Agord, Hawaii’s technical assistant, is now trained on the Community of Practice process called Leading by Convening. It requires stakeholders/partners to be included throughout the process.  C. It is disheartening to learn that there was so much leftover money in last year’s budget. I am a special education resource teacher who has spent personal funds to help teachers stay current on research-based programs. There are countless teachers craving one day off for inservice training. When we talk about the achievement gap, it begins in the classroom.  C. We need to have regular special education and ELL representation at CAST meetings. When Reading Wonders was rolled out, special education was not part of the committee.  C. At my school, there are only two teachers for a K-2nd grade class and a 3-5th grade class. One teacher started with 17 students and is now up to 20, but we only got another special education position a few weeks ago. I wonder why the district didn’t kick in a position sooner. |  |

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| **Special Education Director’s Report (cont.)** | Comments/questions from members and guests (cont.)  C. This group can do a lot, if it just writes letters for this coming legislative session. We need DOE to put more emphasis on recruitment and to treat it as an emergency. A. It would be helpful to work with the Department on those letters. You are advisory, and the letters should contain something that the Superintendent can support, too.  Q. How does OCISS make decisions regarding evidence-based developments? How can SEAC be partnered in that? A. That would be a question for Suzanne Mulcahy. | Susan Rocco will forward a question to AS Mulcahy regarding how SEAC might be included in recommending evidence-based interventions. |
| **Legislative Committee Report** | Martha reported on anticipated legislation on behalf of Legislative Committee Chair Tom Smith (see attached). Susan asked Kau`i to speak about a Call to Action sent by Hilopa`a to parents working for state government departments who have children with autism. Family advocacy is needed to get the Hawaii Employer-Union Benefit Trust Fund (EUTF) to consider covering ABA services. | Kau`i will send out the Call to Action email to members. |
| **Further Discussion on the Use of Student Publication/Audio Release Form** | Susan Rocco reported that an online review of seven or eight other state Departments of Education revealed that the Hawaii form is fairly standard. Family Educational Rights and Privacy Act (FERPA) generally refers to privacy rights regarding student records, whether written or digital. The issue remains that families may not be aware of the ramifications of granting access to their child’s media images. More information is needed before making a recommendation regarding options on Hawaii’s form or initiating an educational campaign aimed at parents. Shari offered to share specific questions with Assistant Superintendent Chun. | Members with questions will forward them to Susan Rocco who will consolidate them and pass them to Shari for follow-up. |
| **Department of Education Budget Process and Priorities** | Amy Kunz, Senior Assistant Superintendent, gave a presentation on where the Department of Education is fiscally, and what DOE has requested in its budget for next school year. The budget was approved by the Board of Education in October. Amy and Kathryn Matayoshi have a meeting with Governor Ige during Thanksgiving week to see what he will include in his budget package. She reported that the timing of the budget creates uneasiness for school personnel, as the Legislature does not approve the budget until April, and even after approval, the Governor can restrict funds due to negative projections by the Council on Revenues. $70 million | A copy of Amy’s Powerpoint presentation was shared with members. |

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| **Department of Education Budget Process and Priorities (cont.)** | in additional funding is being sought for student transportation, utilities and skilled nursing.  Comments/questions from members and guests  Q. Do you anticipate that there will be unspent salary funds for special education this year, and if so, can the money be reprogrammed for other purposes? A. Yes, we anticipate unspent funds, and I am working with Suzanne Mulcahy to spend the money thoughtfully. We are looking at expanding the Teach for America contract and adding monies for induction and mentoring. Anything to do with payroll needs to be collectively bargained. We are considering EA pay levels.  Q. How much of the special education budget is federal money? A. (Shari) We get about $40 million.  Q. Who tracks that money? How is it spent? A. Program managers are in charge of that, making sure there is compliance with the plan. Complex Area Superintendents have a piece for school level staffing and Assistant Superintendent Mulcahy is the overseer.  Q. Are any monies restricted and have to be returned? A. Monies have to be spent toward the plan. We have about 27 months to spend federal funds.  C. On the Big Island, we have limited resource teachers, and they have to travel many miles in a day. Do you factor in travel time in your allocations for induction and mentoring? A. In some pieces of the budget we have more flexibility than others.  C. In utlizing money for special education, I heard you talk about contracts for bringing in more teachers. Q. Do you spend money on folks already in the system to help retain them? C. Many of us are parents of students with disabilities. If you help my child with the services he needs, you help the teacher as well. Q. Have you talked to teachers in the field?  A. We need to do a better job of that. We are trying to gauge where teachers are through our educator effectiveness system, so we can help them be more successful.  Q. If a principal sees that a teacher has a good heart but needs training, does he have money to provide that training? A. It is a priority within the school to make support happen. One of the tools available is online |  |
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| **Department of Education Budget Process and Priorities (cont.)** | Comments/questions from members and guests (cont.)  training.  Q. For the monies that go out to schools through the Weighted Student Formula (WSF), how can we track those expenditures?  A. School Community Councils can verify what is spent, but schools also have to have contingencies within their budgets for unexpected expenses.  C. School budgets are supposed to be online. The SCC is just for consultation. The Academic and Financial Plans also go to the Complex Area Superintendent as a fail safe.  Q. Do principals have access to special education monies? A. (Amy) Yes, through the Complex Area Superintendent (CAS) as staffing allocations. (Shari) The administrative funds are for positions. The rest of the funds are given out by per pupil allocation to districts. Each CAS will come up with a project proposal and receives monies based on what they say they will do in that plan.  Q. Might that be a barrier to students getting needed services?  (Amy) We are not supposed to deny IEP services due to budget restrictions. (Shari) The CAS proposal is more for larger plans, for example, focusing on the achievement gap by purchasing Orton-Gillingham training. It is not kid specific.  C. SEAC owes our thanks to Amy for not restricting any special education funds this budget cycle. |  |
| **Initial SBAC Assessment Results for Students with Disabilities** | Susan Rocco framed the discussion on SBAC scores as a preliminary response to data posted on the Department’s website. A more thorough presentation on the data for the High Needs Group (students who are economically disadvantaged, students receiving English Language Learner (ELL) support and special education students) is planned for a December Student Achievement Committee meeting of the Board of Education. The data clearly shows that achievement for students with IEPs was extremely low on the SBAC. Only about one in 10 special education students is proficient in math and English Language Arts (ELA). A second finding related to how the data was presented. Susan noticed a big contrast in proficiency rates for ELL students between the September Strive HI: Student Group Performance Report and the November report. The | 2015 data from the DOE Data Accountability Center interactive tool and the Strive HI: Student Group Performance Reports for September 24, 2015 and November 5, 2015 were disseminated to members. Members also received the 2015 NAEP scores. |

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| **Initial SBAC Assessment Results for Students with Disabilities** | September report listed the math and ELA proficiency rates of students currently receiving ELL supports, while the November report added in students who had recently exited ELL. This one change brought up ELA performance from 4% to 32% and math performance from 8% to  30%. Susan pointed out that students receiving current ELL services are actually underperforming students with IEPs. Additional supports for this group of students (many of whom also receive special education supports) are more critical. The presentation of the data also skews the calculation for the High Needs Group. If the Department used scores for students eligible to receive special education and ELL services, rather than adding in the scores of recently exited students, the achievement gap between high needs students and non-high needs students would widen. Shari explained that the reason for including recently exited ELL students was to give school credit for pushing them academically. Susan repeated SEAC’s long held concern that the High Needs Group scores mask the poor performance of special education students. The 2015 scores for the National Assessment of Educational Performance (NAEP) show Hawaii students underperforming their counterparts in almost every other state. |  |
| **Update on the E.R.K. Decision** | Martha reported that there is no additional information from the plaintiff attorneys. Todd Takahashi communicated by letter (as he was away at a conference) he had been instructed by the Office of the Attorney General to stop his search for E.R.K. class members in the Department of Public Safety’s prisons. He thanked SEAC members for their support and encouragement and expressed his deep concern for inmates who may be unaware that they are eligible to receive compensatory services. Amy Wiech said that she had been contacted by one of the attorneys to give feedback on a services grid. She suggested that they provide definitions for the services listed to make the grid more understandable. |  |
| **Update on Restraints and Seclusion Activities** | Martha reported that the Department is trying to put out a Request for Proposal to use training monies provided by the Legislature by the end of this school year. Senator Kidani and Representative Takumi will introduce an appropriations bill for ongoing training in early 2016. Gabriele Finn asked about the training model, and Martha replied that |  |

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| **Update on Restraints and Seclusion Activities (cont.)** | the RFP will be open to all methodologies, although CPI is already established in a number of complexes. Gabriele replied that she is a CPI trainer for her district, and that the emphasis with any model should be on preventing behavior from escalating. Shari offered to have Jean Nakasato and Sandy Goya attend a SEAC meeting to provide more information. She encouraged members to forward any questions to Susan, so that they can be forwarded to Jean and Sandy. | Members who have questions about how the restraints and seclusion bill will be implemented will send them to Susan Rocco for forwarding to Jean Nakasato and Sandy Goya. |
| **Input from the Public** | Amanda Kaahanui shared an update from a parent in Honolulu District whose child needs the services of an itinerant teacher for the Deaf and hard of hearing. This position still has not been filled, and an audiologist was brought to the IEP meeting but was not qualified to speak to the instructional needs of the student. Leeward has an unfilled position, as well, and Amanda learned that special education teachers in Leeward are being tapped to trouble shoot for students who are Deaf and hard of hearing. Martha asked Shari to look into the problem. Shari asked for specifics about the student and school. Susan Rocco offered that it is a systemic problem of lack of capacity, rather than an individual complaint. Amanda added that students need a teacher who understands deafness, and there are shortages of classroom teachers for program schools in addition to itinerant teachers. |  |