

**SPECIAL EDUCATION ADVISORY COUNCIL**

**Minutes – March 8, 2013**

9:00 a.m. – 12:00 p.m.

**PRESENT:** Brendelyn Ancheta, Cassandra Bennett, Tammy Bopp, Debbie Cheeseman, Phyllis DeKok, Shari Dela Cuadra-Larsen, Gabriele Finn, Martha Guinan, Barbara Ioli, Deborah Kobayakawa, Rachel Matsunobu, Dale Matsuura, Barbara Pretty, Kai Rezendes, Susan Rocco, Melissa Rosen, Tricia Sheehey, Ivalee Sinclair, Tom Smith, Mike Tamahaha, Jan Tateishi, Cari White

**EXCUSED:** Annette Cooper, Tami Ho, Bernadette Lane, Eleanor MacDonald, Stacey Oshio, Zaidarene Place,

**ABSENT:** Jyo Bridgewater, Bob Campbell, Shanelle Lum, Dan Ulrich

**GUESTS:** Brian De Lima, Juvy Hollander, Jessie Pak, Ranney Pak, 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>	<p>1 – Jan Tateishi announced that a sign-up was circulating regarding the SEAC luncheon following the May 10<sup>th</sup> business meeting.</p> <p>2 – Ivalee announced that Pat Park is planning to attend the May meeting and will recognize members with Certificates of Appreciation signed by the Superintendent.</p> <p>3 – Barbara Ioli reminded members that there are time slots available for volunteers to man the SEAC table at the SPIN Conference.</p>	
<b>Input from the Public</b>	<p><u>INPUT #1</u></p> <p>Ivalee shared that SEAC had been consulted by phone by a parent in Windward District who was concerned about the abrupt decision to discontinue contracted services for students with autism after having received assurances to the contrary. Tom Smith confirmed that the DOE contract for Behavioral Instructional Support Services (BISS) is not being extended. Other points of discussion included the following:</p> <ul style="list-style-type: none"> <li>• This is part of an ongoing set of unresolved system needs conveyed by SEAC to the Department over the last three or four years regarding inconsistent training for PPTs (school-based employees) as compared to contracted providers, high turnover rates for PPTs, inconsistent supervision in the classroom and a lack of substitutes when PPTs are sick.</li> <li>• The parent’s reaction to the District’s decision exemplifies parental mistrust and anger and resulting parent-school conflict generated by not informing families in a timely way of changes to their child’s program.</li> <li>• This conflict is costly to families and the Department and largely avoidable through better communication and the provision of comparable</li> </ul>	

<p><b>Input from the Public (cont.)</b></p>	<p>services.</p> <ul style="list-style-type: none"> <li>• The problem represents a lack of clarity/direction from leadership to districts and complexes regarding appropriate training and supervision protocols for employee-based paraprofessionals who work with students with complex needs.</li> <li>• Sometimes untrained PPTs become skillful once I train them, and not all contracted employees are a match for my students.</li> </ul> <p><u>INPUT #2</u></p> <p>Deborah Kobayakawa reported that a parent of a high school student in Windward District filed a written complaint and sent it certified mail. It was returned by the Post Office because no one in the Complaints Office was there to receive it. The return caused an unnecessary delay in resolution of the complaint. Deborah suggested that the Department utilize a Post Office box, so that families can be reassured their complaint has been received.</p>	<p>Shari Dela Cuadra-Larsen will follow-up to make sure that someone is available to receive mail to the Complaints Office. She will also check to see if emailed complaints are acceptable.</p>
<p><b>Review of February 8, 2013 Minutes</b></p>	<p>The minutes were corrected to show that Rachel Matsunobu was “excused” for the February meeting, not “present” as the draft minutes indicate.</p>	<p>The minutes were approved as corrected.</p>
<p><b>Report from the Special Education Director</b></p>	<p>Shari Dela Cuadra-Larsen reported on the following items:</p> <p><u>Chapter 60 Guidelines</u></p> <p>The Department has decided to release the guidelines to all interested stakeholders. As soon as the file is added to the Department’s website, Shari will send the link to Ivalee and Susan to distribute to members.</p> <p><u>Application for IDEA Funds</u></p> <p>SEAC members were also given electronic access to Hawaii’s application for IDEA funds. This is a yearly requirement that shows OSEP how Hawaii is implementing IDEA. The budget is expected to be reduced by 5% this year due to sequestration. The impact of this loss will be felt in the July allocation to schools, so the Department is looking for ways to distribute the funds differently, if necessary.</p> <p><u>Chapter 60 Administrative Rule Change</u></p> <p>The proposed changes to Chapter 60 to incorporate Act 129 (monitoring of</p>	<p>Shari will provide more information about the impact of sequestration on DOE’s budget at the April meeting.</p>

<p><b>Report from the Special Projects Office (cont.)</b></p>	<p><u>Chapter 60 Administrative Rule Change (cont.)</u> students with disabilities who are attending private school at public expense) were held up in an Executive Session of the Board of Education. The Special Education Section (OCISS) is working on recommended changes, and it is not known when they will be available.</p> <p><u>Medicaid reimbursement for related services</u> There is a new regulation due to be implemented on July 1, 2013 that states the Department only has to get permission once from a parent to seek reimbursement for related services provided as part of an IEP, rather than each time the service is provided.</p> <p><u>Questions/comments from members:</u> Q. Do you need a letter of support from SEAC to accompany your application for IDEA funds? A. No. Q. What does the \$1 million for complaints in this application include? A. A position for complaints, a position for general supervision, and the contracts with Art Cernosia and the Administrative Hearings Office of the Department of Commerce and Consumer Affairs (DCCA). Q. How is the information about giving parents notice and seeking consent for Medicaid reimbursement going to occur? Who will be the parties responsible to assist schools? A. Eric Rolseth, who manages the reimbursement program, will be getting information out to schools in April. Debbie Farmer and the District Educational Specialists will also be assisting. C. SPIN is willing to put an article in the SPIN news about encouraging parents to provide consent for Medicaid reimbursement. Q. How much will schools be allocated from the IDEA fund application? A. The application is only describing how the administrative funds will be used. Q. When will you know what your IDEA allocation will be? A. Hopefully by the first week of April. Q. If Hawaii can collect more in Medicaid reimbursements, will that money be able to offset the cuts? A. The money doesn't necessarily go back to schools.</p>	
---	--	--

<b>Update on WestEd</b>	Ivalee relayed that at a recent Board of Education meeting, Pat Park reported that the most recent WestEd report would be released to the field in March or April. Ronn Nozoe assured Ivalee that SEAC would get a copy and relayed his belief that the action steps in the report offer the opportunity to effect real change. Ivalee added that she hopes the Department will follow up on SEAC's recommendation that there be a project director to help implement the action steps, so that Pat Park is not overloaded.	
<b>Update on CSSS and RTI</b>	Ivalee was able to contact Jean Nakasato regarding the roll-out of a proactive version of a Comprehensive Student Services System and Response to Intervention (RTI) training, and she expressed her willingness to make a presentation to SEAC in the future. Shari added that there is no uniform training on RTI as yet, and there is current discussion on defining the tiers of intervention.	
<b>Reorganization of OCISS</b>	Ivalee has been unable to get more information about the reorganization of the Office of Curriculum, Instruction and Student Support, other than the plan to change the name to College and Career Readiness Office. Pat Park told SEAC that she would have that information by March, so SEAC will keep the item on the agenda until information is available.	
<b>OSEP Webinar</b>	Ivalee and Martha Guinan reported on SEAC's presentation in an OSEP webinar to other State Advisory Panels and Interagency Coordinating Councils (Part C) on how to prepare an annual report. A representative from an ICC co-presented, although it appeared his ICC report is not vetted by members, as is SEAC's report. There were about 120 people who attended the webinar.	
<b>Legislative Update</b>	Ivalee reported that it has been difficult to get bills through this budget year. The bill allowing employee leave to attend school functions died in committee, and a resolution may be drafted to keep the issue alive. Still alive are bills supported by SEAC for autism insurance coverage, early education, and dyslexia awareness. SEAC helped to draft a resolution to continue work on family-school partnerships, and it is expected to be heard by both education committees. Ivalee asked for member input on whether to support a bill defining instructional time.	

<p><b>Legislative update (cont.)</b></p>	<p>The ensuing discussion offered the following points:</p> <ul style="list-style-type: none"> <li>• Without a clear definition of instructional time, it will be hard for schools to implement existing mandates for providing a minimum number of instructional hours to student;</li> <li>• In lengthening the school day or year, there should also be time set aside for professional development;</li> <li>• Any lengthening of the instructional day or year should be part of contract negotiations with HSTA and HGEA.</li> </ul> <p>Members agreed to put testimony in on the instructional hours bill supporting the definition and including the need to include time for teachers to learn new skills and procedures.</p>	
<p><b>Committee Meetings</b></p>	<p>Members joined discussions in the Due Process, Legislative, Personnel and Transition Committees.</p>	
<p><b>Committee Reports</b></p>	<p><u>Personnel Committee</u>        Members expressed concern over possible inconsistencies in field supervision for teacher trainees enrolled in special education teacher trainer programs. They would like to see objective grading tools. Members also continued the discussion regarding instructional time, and requested information from the legislative informational briefing by the National Center on Time and Learning (NCTL).</p> <p><u>Transition Committee</u>        The Committee wants to get transition data from the last Annual Performance report, particularly post-school outcomes. Members discussed the transition events occurring throughout the state and the importance of building a family component, so they can help the student to navigate the system once s/he exits high school.</p> <p><u>Due Process Committee</u>        Members collected anecdotal evidence of issues to include in the next due process report. They would like to interview families that have gone through any of the complaint processes.</p> <p><u>Legislative Committee</u>        Members drafted testimony for SB 238 relating to instructional time.</p>	<p>Susan will forward a link to the NCTL powerpoint presentation and recent Hawaii legislation regarding instructional time.</p>