SPECIAL EDUCATION ADVISORY COUNCIL

Minutes – August 14, 2015

9:00 a.m. – 12:00 p.m.

**PRESENT:** Brendelyn Ancheta, Tammy Bopp, Bob Campbell, Annette Cooper, Shari Dela Cuadra-Larsen, Sage Goto, Valerie Johnson, Amanda Kaahanui, Debbie Kobayakawa, Stacey Oshio, Zaidarene Place, Barbara Pretty, Kaui Rezentes, Susan Rocco, Rosie Rowe, Ivalee Sinclair, Tom Smith, Todd Takahashi, Dan Ulrich, Amy Wiech, Jasmine Williams, Susan Wood

**EXCUSED:** Debbie Cheeseman, Gabriele Finn, Martha Guinan, Bernadette Lane, Dale Matsuura, Tricia Sheehey, Lani Solomona

**ABSENT:** Natalie Haggerty

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

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| **TOPIC** | **DISCUSSION** | **ACTION** |
| **Call to Order** | Ivalee Sinclair called the meeting to order for Chair Martha Guinan at 9:17 a.m.; Martha is on the Mainland for a family vacation. |  |
| **Introductions** | Members introduced themselves to new member Sage Goto, who will be representing the Developmental Disabilities Division. |  |
| **Announcements** | * Rosie Rowe announced that the Learning Disabilities Association of Hawaii has been awarded the Parent Training and Information Center designation for American Samoa, the Federated States of Micronesia, Guam, the Republic of the Marshall Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau. * Steven Vannatta announced that the Community Children’s Council Office is temporarily housed in the Queen Lilioukalani Building in room 301. Individuals calling the main CCCO number (586-5363) will get voicemail. * Susan Rocco announced that SPIN is recommending that the October 9th SEAC meeting be rescheduled to October 16th due to Fall Break the week of October 5th - 9th. | Members agreed to move the October meeting to October 16th. |
| **Review of Minutes from May 8, 2015** | Two corrections were made to the draft minutes by Shari Dela Cuadra-Larsen: her name was listed as both present and excused, and Debbie Cheeseman, rather than Debbie Kobayakawa, brought up the issue of inappropriate placement under **Input from the Public**. | The minutes were approved as corrected. |
| **Special Education Director’s Report** | Shari reported on the following:  Meeting with Assistant Superintendent (AS) Suzanne Mulcahy  Shari conveyed AS Mulcahy’s regrets for not being able to attend  the August meeting; she is intending to be part of the September meeting. AS Mulcahy asked Shari to relay that she was pleased with the meeting |  |

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| **Special Education Director’s Report (cont.)** | Meeting with Assistant Superintendent Suzanne Mulcahy (cont.)  she had with Deputy Superintendent (DS) Schatz and members of the Coalition for Children with Special Needs the first week of her new position. She brings the perspective of a special education teacher and administrator, and she has made improvements to special education as one of her top priorities along with English Language Learners (ELL) and Career and Technical Education (CTE). She shared some of her thoughts about special education in an *Island Voices* editorial printed in the *Star Advertiser* on August 13th (see attached). The title of the editorial was not AS Mulcahy’s choice. Another article about special education in *Civil Beat* (August 13, 2015) took some of her statements out of context.  OSEP State Determination Letter  The Office of Special Education Programs (OSEP) responded to Hawaii’s submission of the APR/SSIP for SY 13-14 with a determination that the state “needs assistance” for the second consecutive year. This requires Hawaii to find a technical assistance provider and identify areas to improve. Hawaii’s compliance matrix indicates that all of the indicators but one were met. Under secondary transition, Hawaii was given a slightly lower score for not having agency reps and the student being invited to IEP meetings involving transition. On the results matrix, however, Hawaii’s fourth and eighth graders scored poorly on NAEP reading and math tests. Some states argue that NAEP scores should not be used for OSEP’s determination, and DS Schatz has indicated that he would like to look at a strengths-based model looking at “bright spots.” However, we would need better data.  Update on State Systemic Improvement Plan (SSIP)  OSEP approved Hawaii’s SSIP, finding it one of the more robust plans. However, OSEP did not accept Hawaii’s intention to wait to set proficiency targets for ESEA Flex. Hawaii rewrote that section to apply a formula that reduces by half the percentage of students who are not proficient. The Smarter Balance assessments will provide new data and those proficiency scores will come out in late September or early October. | Copies of the *Civil Beat* article were distributed.  Copies of the letter, the scoring matrix and a description of how the criteria were determined were distributed. Shari directed members to GRADS 360 <https://osep.grads360.org/#communities/pdc/documents/8105> for more information. |

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| **Special Education Director’s Report (cont.)** | Update on State Systemic Improvement Plan (cont.)  The Phase II deadline has been pushed back to April 1, 2016. Shari plans to do target setting sometime after early October. Phase II involves  1) identifying an infrastructure improvements plan, 2) developing an implementaton plan to support evidence-based practices, and 3) developing a plan to evaluate implementation.  Teacher Equity Plan  The Office of Human Resources is taking the lead on this plan to help ensure the equitable distribution of high quality special education and general education teachers in low and high income areas. Shari offered SEAC as a stakeholder group that could provide input to the Department. Questions/comments from members and guests  C. Sometimes the reluctance of parents to invite other agencies to their child’s transition planning/IEP meeting is due to the agencies arguing over what they will and will not do.  C. Other reasons that agencies don’t attend these meetings include 1) the school viewing the agency as not listening to the school’s perspective, and 2) a last minute rush to schedule the meeting. We may need a requirement that all relevant agencies are in attendance.  C. At the IEP meetings I attend, the student is not in attendance 80-90% of the time. I don’t know if that is due to a parent’s wish or the school’s failing to invite the student.  C. On the Big Island, we sometimes try to keep students from attending because of the anxiety created by political wrangling between district and school staff at the meeting.  C. As a parent, you don’t want the school to have a pre-meeting without you. In my child’s case, the school and agency met before her IEP to suggest how to cut/modify services.  C. In early interveniton, we don’t suggest that toddlers attend their IFSPs, but even in our meetings, we have DOE arguing with other agencies or with each others and parents crying from the resulting tension. |  |

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| **Special Education Director’s Report (cont.)** | Questions/comments from members and guests  Q. Is the data we are looking at for one meeting a year? C. One solution I use is the McGill Action Planning System (MAPS) where students, parents and others can participate in future planning for the student that can be incorporated into the IEP.  C. I want to say that it goes back to the training of DOE personnel. You cannot wait until the transition meeting to invite the student and expect perfect behavior. You need to prep the parent and the SSC on how to include the student and ask DOE personnel not to take sides with the student against the parent.  Q. How does Deputy Superintendent Schatz want student progress to be measured? A. That’s what we are going to decide as a state. One measure might be to look at the time in the program as it takes a number of years to get to proficiency. DS Schatz also talked about post school outcomes.  C. Rather than spending time focusing on various measurements and how to meet compliance, I believe we need to do a better job of delivering services and resources to the classroom to make the job of teaching more productive and meaningful.  C. Funds for education have been cut, and we will have to find ways to increase funding in order to bring more resources to the school.  Q. Regarding teacher equity, is there a component on how we are measuring teacher success? A. The initial data is more about free and reduced lunch status of students and teacher qualifications.  C. Poor kids typically don’t have a teacher who is highly qualified to teach the subject matter. The Department is no longer reporting special education statistics but we know there is a disproportionate number that are disadvantaged. |  |
| **Committee Structure for SY 15-16** | Shari suggested that SEAC might be able to provide better feedback to the Department by structuring every other meeting for committee work. During the months where there are primarily committee discussions, Shari will provide a written report. Bob Campbell shared his experience of | Members agreed to try the new schedule of spending alternating months for committee-intensive work. |

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| **Committee Structure for SY 15-16 (cont.)** | military representatives meeting every month with principals and Complex Area Superintendents. Every other month the group has a board meeting and in the off month holds a strategy group/committee meeting. Brian De Lima suggested that since Suzanne Mulcahy will be attending SEAC in September, the committee-focused meeting will begin in October. |  |
| **Meeting Locale** | Shari raised concerns about SEAC meeting at 919 Ala Moana Blvd., due to potential safety issues linked to the homeless encampment and to limited parking options. She is exploring the use of the OCISS Annex and McKinley High School. Parking is free in both areas. | Shari will email Susan when an alternate meeting location is secured, and Susan will inform members. |
| **Ongoing SEAC Participation with the Board of Education** | Brian suggested that newly appointed Board member Hubert Minn would be a great ally for special education issues. He has an adult daughter with Down Syndrome and knows the system as both a parent and former DOE administrator. Brian is trying to get Olelo to videotape BOE meetings as a means of encouraging more input and awareness by stakeholder groups and individuals. One of the issues to come up recently at a Board meeting is an internal audit of the Special Education Section which has been preliminarily shown to pose six categorical risks to the department. Brian has also asked for a total review of lawsuits. |  |
| **Report on Restraints and Seclusion Activities** | Ivalee and Martha have been meeting with Jean Nakasato and Sandy Goya for regular updates on activities related to the restraints and seclusion legislation that was passed in 2014. The $250,000 earmarked to the Department for training was held up by the Governor until April 2015 when $225,000 was released. Of those monies $50,000 has been set aside for data capacity building. The remaining $175,000 is earmarked for training, and a Request for Proposal (RFP) to deliver the training is being prepared. Representative Takumi, House Education Committee Chair will also be writing a funding bill for an additional $420,000 to train teachers and educational assistants. |  |
| **Workforce Innovation and Opportunity Act (WIOA)** | Susan Rocco informed members of a July 27th conference on the Workforce Innovation and Opportunity Act (WIOA)—a reauthorization of the Workforce Investment Act--hosted by the Division of Vocational |  |

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| **Workforce Innovation and Opportunity Act (cont.)** | Rehabilitation in collaboration with their partners from DOE. Susan asked Valerie Johnson to highlight some of the changes affecting special education students. Valerie explained that 15% of DVR’s budget, or $1.9 million, must be spent on providing re-employment transition services (PETS) for students with disabilities aged 16-22. She thanked Shari for bringing DOE to the table. DOE is also working with DVR for WIOA directed support to students in Adult Education.  Questions/comments from members and guests  Q. Where can I get more information about helping out with students who may have health issues that affect competitive employment and want to have their own business? A. There are two DVR offices on the Big Island who will serve students as young as 14, where appropriate.  Q. When do the regulations for WIOA come out, and can parents contact you now? A. The regs are due sometime after the first of the new year (2016), and yes, parents can contact us now. What is new about WIOA are the PETS; we already have a Transition Section on Oahu and work with schools on transitional planning. On the Neighbor Islands, our DVR counselors do everything.  Q. I am interested in contracting with someone with a disability to get cleaning services, and I have made contact with Best Buddies and Abilities Unlimited. Who else should I call? A. Contact me (Valerie).  C. I work with some students who are developmentally disabled. They are getting services from DVR, but in some cases there is not enough hands-on support to help the students fill out necessary forms.  Q. Does WIOA also cover students/inmates with special needs at Halawa Correctional Center? A. I’m not sure, but I’ll get the information and get back to you. | A handout on WIOA with an emphasis on youth funding and pre-employment transition services was distributed. |
| **Committee Leadership** | Ivalee asked members to formally elect Chairs to the three SEAC Committees. These individuals will also serve as SEAC Vice-Chairs. Members selected Tom Smith for the Legislative Committee, Susan Wood for the Special Education Reforms Committee and Brende Ancheta and Tricia Sheehey as Co-Chairs of the SSIP Committee. |  |

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| **National Graduation Data for Students with Disabilities** | Ivalee thanked Bob Campbell for sharing an article that appeared in *EdWeek*’s *Diplomas Count 2015* series entitled “*Graduation Rates Vary for Students with Disabilities*.” Bob highlighted some of the points in the article including:   * States have a lot of “wiggle room” in setting graduation rates; * Because of this variability, it is hard to compare graduation rates from one state to another; * Flexing course requirements is one way to make students with disabilities eligible for graduation; and * The majority of students with IEPs should be in a general education environment on a diploma track.   Questions/comments from members and guests  Q. How much information can SEAC get about how graduation rates in Hawaii were calculated? A. (Bob) DOE could take a sampling of students and the coursework they took to receive a diploma.  C. A larger issue is that many high school students with disabilities don’t have access to special designed instruction for the courses required for graduation credit. If you can’t get support for algebra, you get geometry studies as a default.  C. There are also not enough good co-teaching teams that are qualified to teach high school curricula.  C. Some students who cannot access the curriculum get sent to alternative learning centers where they are more likely to drop out or end up in prison.  C. I am seeing that special education teachers lack experience in developing strategies for various disabilities. Q. Is this due to a lack of pre-service training? A. (Ivalee) We have also heard that teachers did not get adequate training in how to adapt Common Core materials.  C. In high school, many Educational Assistants don’t have enough training to help students with disabilities with their classwork. | Copies of the *EdWeek* article on graduation rates were made available to interested members.  Members will ask Suzanne Mulcahy for her perspective on this issue, with the option to also call it to the Superintendent’s attention. |
| **Update on the ESEA Reauthorization** | Susan reported on the main differences between the two versions of the Education and Secondary Education Act Reauthorizations going through Congress: 1) S. 1177 – “Every Child Achieves Act” and 2) H.R. 5 – “The Student Success Act. The bills are scheduled to go to conference soon. |  |

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| **Input from the Public** | The following issues were shared with members by outside stakeholders:  1) Loss of recess for misbehavior  Tom Smith reported that he has heard of a school on Oahu that has a rule that special education students lose their afternoon recess, if they are not compliant. Amy Wiech and Brende Ancheta acknowledged the same situation at other elementary schools. While a number of members found this inappropriate, one member suggested that it could be effective if used for a short time with careful monitoring. As a follow-up, members suggested bringing the issue to Suzanne Mulcahy and also referring the parents of the detained students to the Parent Training and Information Center--the Learning Disabilities Association of Hawaii (LDAH).  2) Eleven IDEA violations/concerns  Tom asked members if it was appropriate to share the eleven procedural violations documented by LDAH and previously discussed with SEAC members with AS Mulcahy. Ivalee shared that Shari told her and Martha that Leila Hayashida and Shari responded to the list of violations by training Complex Area Superintend1`ents and District Educational Specialists. Ivalee commented that because the training was not at the school level, it is hard to determine its effectiveness.  3) Itinerant teacher for the Deaf  Amanda Kaahanui reported that she had previously followed-up on a concern in Honolulu District that an itinerant teacher for the Deaf was moving, and the district did not plan to fill the position. Although Amanda received reassurance from a Complex Area Superintendent that the position was being actively recruited, a more recent report indicates that they are not actively seeking a replacement.  4) Participation with the Hawaii State Teachers Association leadership  A recent special education teacher survey and phone conversations with HSTA staff indicate a number of shared concerns. Susan asked if it would be appropriate to invite them to present at a future SEAC meeting. Amy asked if we could use their polling to get answers to some of our questions.  Ivalee suggested that we meet with Suzanne Mulcahy first to see where her vision coincides with that of SEAC. | Members will raise the issue of the eleven procedural violations with Suzanne Mulcahy in September. |