SPECIAL EDUCATION ADVISORY COUNCIL

Minutes – September 11, 2015

9:00 a.m. – 12:30 p.m.

**PRESENT:** Brendelyn Ancheta, Debbie Cheeseman,Annette Cooper, Shari Dela Cuadra-Larsen, Sage Goto, Martha Guinan, Valerie Johnson, Amanda Kaahanui, Zaidarene Place, Barbara Pretty, Susan Rocco, Tricia Sheehey, Tom Smith, Lani Solomona, Todd Takahashi, Jasmine Williams, Susan Wood

**EXCUSED:** Tammy Bopp, Debbie Kobayakawa, Bernadette Lane, Dale Matsuura, Stacey Oshio, Kau`i Rezentes, Rosie Rowe, Ivalee Sinclair, Amy Wiech

**ABSENT:** Bob Campbell, Gabriele Finn, Natalie Haggerty, Dan Ulrich,

**GUESTS:** Brian De Lima, Suzanne Mulcahy, Albert Perez, Steven Vannatta

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| **TOPIC** | **DISCUSSION** | **ACTION** |
| **Call to Order** | Chair Martha Guinan called the meeting to order at 9:01 a.m. |  |
| **Introductions** | Members and guests introduced themselves to Assistant Superintendent (AS) Suzanne Mulcahy. Valerie Johnson introduced guest Albert Perez, the Administrator for the Division of Vocational Rehabilitation. |  |
| **Introductory Remarks by AS Mulcahy** | AS Mulcahy briefed members on her special education background, the varied roles in which she has served and her reputation among parents as a no-nonsense person who holds high expectations for how special education students are supported. Her perceived root cause for the poor academic performance of special education students is a lack of licensed, highly qualified and effective special education teachers. Part of her solution involves 1) working with the University of Hawaii and Chaminade to prepare teachers for the classroom, 2) training administrators, and 3) devising a way to provide on-the-job training to teachers without pulling the teacher out of the classroom. AS Mulcahy spoke briefly about the reorganization of OCISS and the Department’s response to the WestEd recommendations, stating that she believes the recommendations were addressed before the report was finished. She apologized for having to leave early due to a prior commitment, shared her intention to work collaboratively with SEAC and the Coalition for Children with Special Needs, and invited members to send any questions they may have for her through Martha. | Members will forward questions for AS Mulcahy to Martha or Susan Rocco. |
| **Review of Draft Minutes for 8/14/15 Meeting** | Valerie made three changes to statements regarding her comments about the Workforce Innovation and Opportunity Act: 1) she did not use the word “ALL” when referring to students served, 2) the WIOA regulations *may* come out in January or early 2016, and 3) she will get clarification on whether WIOA covers incarcerated IDEA/504 adult students. | The minutes were approved as corrected. Martha will check with Valerie in January to see if the regulations are available. |

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| **Announcements** | Amanda Kaahanui made the following announcements:   * The Footsteps to Transition Fair will be held at Kapolei High School on October 24th; * The Special Projects Office and the Learning Disabilities Association of Hawaii are co-sponsoring a special education law workshop featuring Art Cernosia on October 31st; and * Today is the 14th anniversary of the 9-11 attacks on the New York World Trade Center and the Pentagon.   Susan Rocco announced that:   * The University of Hawaii is offering a new master’s degree program in special education with student stipends funded by the Office of Special Education Programs (see UH Ho’olako Grant).   Tom Smith made the following announcements:   * The Board of Education website has a new mechanism for folks to listen to live audio broadcasts of meetings; * Children and Youth Day activities on October 3rd have been cancelled for this year, but October remains Children & Youth month. | Flyers of the Footsteps to Transition Fair and Art Cernosia workshop were distributed. |
| **UH Ho’olako Grant** | Susan asked Tricia Sheehey to give more detail on the new OSEP grant-funded Master’s Program. She explained that the focus is on teaching children with autism and other behavioral disorders and on serving rural or underserved populations. Grant monies are used exclusively to cover tuitions, There are fifteen teacher slots, and the program will begin in the Spring of 2016. The courses are on-line and in sync with their autism program and BCBA program. Applicants will have to have Internet access and familiarity with the on-line platform. Susan Wood offered that some folks who might be applying are not well suited to teaching students with disabilities and asked if the UH Special Education Department talks with the principals of these teachers to get their teaching history. Tricia replied that they do not generally contact principals, but the interviews are conducted by more than one person, references are checked and applicants must have maintained a 3.0 grade average in their undergraduate program. | Members who know of a teacher who might be interested in the grant are asked to have them contact Jenny Wells ([jwells@hawaii.edu](mailto:jwells@hawaii.edu)). |

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| **Special Education Director’s Report** | Shari Dela Cuadra-Larsen shared information on the Phase II SSIP components, the identified areas for improvement and tentative stakeholder activities for Phase II. She noted that because Hawaii introduced a new statewide assessment last school year—the SBAC—new targets will have to be set for reading proficiency. The SBAC scores from last Spring will be coming out in October, and it will take a few months for psychometricians to figure out baselines. Shari reported that the five improvement areas identified in Phase I will take a lot of work, and the feedback she and her team are getting from special education teachers is that they are overwhelmed with all of their responsibilities in addition to teaching. Their needs must be addressed in order to prevent burnout and exits from the field.  Questions/comments from members and guests  C. DOE’s projected budget includes money for ELL but not for special education.  Q. In your stakeholder activities for October, will just our SEAC SSIP Committee be giving input? A. We will have time in November to gather additional comments and suggestions.  Q. Your tentative stakeholder meeting in December is on the 10th; however our SEAC meeting is scheduled for the 11th. Do you plan to have SEAC participate in a larger stakeholder meeting? A. We are having a DES (District Education Specialist) meeting on the 10th. Our budget is much lower than for Phase I, so it will be difficult to provide the supports to bring a lot of stakeholders together.  C. I think it is important to have an inclusive meeting, if possible.  Q. Who will be your new technical assistance provider through the National Center for Systemic Improvement? A. We’re back to using Cesar D’Agord, but the new Center also has state learning collaboratives. Cesar is giving us tools, and the Center will have phone calls to pass down information from OSEP.  Q. Is the new Center up and running? A. It’s been slow. We told them we needed the Phase II documents right away but we won’t receive them | A handout entitled State Systemic Improvement Plan (SSIP) Phase II was disseminated to members and guests.  Brian De Lima will bring up the need for additional special education funding at BOE’s September 15th Finance & Infrastructure meeting.  Shari will notify SEAC in October if she plans to have varied stakeholders meet together in December. |

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| **Special Education Director’s Report** | Questions/comments from members and guests  until November. OSEP is also giving states lots of options regarding evaluation; they don’t want to mandate that you do anything.C. That’s how they teach math to students nowadays: pick the one you think you can do best. |  |
| **Follow-up to 4/10/15 Informational Briefing on WestEd**  **Recommendations** | Martha reflected that there has been no DOE follow-up to the West Ed informational briefing to educate legislators and the public on steps the Department has taken to implement the WestEd recommendations and/or address the findings in the report. AS Mulcahy stated in her opening remarks that all the recommendations have been addressed. Members discussed the proper channel to request this information and asked Shari if it would be appropriate to address the request to AS Mulcahy, since she had welcomed questions. After some discussion, members decided to separate out the request for information regarding the WestEd recommendations from any other questions members wanted to ask of AS Mulcahy. Brian De Lima asked to be copied on the WestEd-specific request. | Susan and Martha will draft a list of questions made up of SEAC’s previous inquiries and distribute it to members for further input before sending to AS Mulcahy. |
| **Update on E.R.K. Decision** | Martha and Susan Rocco reminded members that SEAC has been following the implementation of the 9th Circuit Court’s decision in E.R.K. vs. the State of Hawaii since SEAC was briefed in November 2013 on the Department’s preliminary plans for addressing the needs of the E.R.K. class. At least two SEAC members have children who are class members and qualify for compensatory education. Both Martha and Debbie Kobayakawa (by email) shared their frustration of undergoing a second evaluation but being offered the exact same services which they found unacceptable. Tom Smith said that a concern was raised at his Windward Community Children’s Council meeting that the DOE personnel conducting evaluations on the initial pilot group had no specific assessment guidelines. Martha added that in her son’s case, the evaluation was based on his IEP when he graduated compared it to where he is now, but did not take into account all the effort and supports from a variety of sources that had helped to promote his growth. Susan Wood had an |  |

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| **Update on E.R.K. Decision (cont.)** | opportunity to sit with an E.R.K. attorney and several DOE staff and was told that the initial pilot of 18 individuals was chosen to help flush out issues and develop a solid understanding of what would be appropriate service delivery. Martha reported that Hawaii Disability Rights Center and Paul Alston’s office have rejected the DOE evaluations and requesting that an independent evaluation be conducted. Shari suggests to families that they contact their plaintiff attorneys, if they have concerns/questions. |  |
| **Update on BOE Policies on School Climate and Discipline and School Health** | Susan Rocco reported that SEAC has provided recent testimony on the School Climate and Discipline policy and is sitting in on a work group revising a policy on school health. She asked Brian De Lima to add some background history on the policies.  School Climate and Discipline  Brian shared that the initial draft of this policy was developed after the Department indicated that they had a zero tolerance position on student misbehavior. The draft called for schools to use suspensions as a last resort given their association with poor academic outcomes and incarceration. When a newsletter article reported on the draft policy, principals responded that they use discretion in delivering discipline, and statistics backed up their claim that suspensions are not the norm in Hawaii. As a result, the draft was rewritten to take out the sentence calling for suspensions to be the last resort and to reference Chapter 19.  School Health. Tom Smith added that we also need to look at the policy of how children’s parents are notified.  School Health  Susan Rocco gave members copies of the draft policy on school health and reported that Board member Amy Asselbye’s process of crafting the policy was very inclusive. The policy links health services to academic achievement and provides a comprehensive range of services provided in cooperation with other Departments and community agencies. Brian agreed that the policy is good, but it is not specific on what the Department will do. He expressed concern that if the policy is too broad, no one will work on it as principals do not want any more on their plate. | Members who would like to have input on SEAC’s future testimony regarding the School Health policy were asked to contact Tom Smith or Susan Rocco. |

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| **Update on Restraints and Seclusion Activities** | Martha reported that she and Ivalee Sinclair have been working with Sandy Goya and Jean Nakasato on this law. They are trying to get legislators to include funds in the incoming budget for additional training, and Representative Takumi is to put in a bill for $405,000 for SY 16-17. | Susan Rocco will send members a link to the restraints and seclusion legislation. |
| **Input from the Public** | Amanda Kaahanui reported an update on a concern previously shared with SEAC by Hands and Voices, a non-profit organization that provides unbiased support to families of children who are deaf or hard of hearing.  The original concern was that the itinerant teacher for deaf and hard of hearing students in Honolulu District was transferring to another district, and her position was not being recruited. Ruth Silberstein, Complex Area Superintendent, reassured Hands and Voices that the position would be filled. However, it now appears that there is no active recruitment, and there are additional vacancies in Leeward and North Windward districts. Barbara Pretty confirmed that there are only 8 positions to serve the whole state and there are currently four vacancies. | SEAC will add a question to Suzanne Mulcahy asking how the Department intends to fill these necessary positions. |
| **Committee Meetings** | Members met in three committees—Legislative, Special Education Reforms and the State Systemic Improvement Plan—to develop a focus for the October discussion when more committee time will be provided. |  |