



S E A C
Special Education Advisory Council
919 Ala Moana Blvd., Room 101
Honolulu, HI 96814
Phone: 586-8126 Fax: 586-8129
email: spin@doh.hawaii.gov

September 16, 2014

**Special Education
Advisory Council**

Ms. Ivalee Sinclair, *Chair*
Ms. Martha Guinan, *Vice
Chair*

Ms. Brendelyn Ancheta
Dr. Tammy Bopp
Dr. Robert Campbell
Ms. Deborah Cheeseman
Ms. Annette Cooper
Ms. Shari Dela Cuadra-Larsen,
liaison to the Superintendent
Ms. Gabriele Finn
Ms. Barbara Ioli
Ms. Valerie Johnson
Ms. Deborah Kobayakawa
Ms. Bernadette Lane
Ms. Dale Matsuura
Ms. Maria Merry
Ms. Stacey Oshio
Ms. Zaidarene Place
Mr. Kenneth Powell
Ms. Barbara Pretty
Ms. Kau'i Rezentes
Ms. Rosie Rowe
Dr. Patricia Sheehey
Mr. Tom Smith
Ms. Lani Solomona
Dr. Daniel Ulrich
Ms. Amy Wiech
Ms. Cari White
Ms. Susan Wood

Susan Rocco, Staff

Mr. Don Horner, Chair
Board Chairperson
Hawaii State Board of Education
P. O. Box 2360
Honolulu, HI 96804

RE: Item VI. b Discussion/Board action on the implementation of
the Department's budget for Fiscal Year 2015

Dear Chair Horner and Members of the Committee,

The Special Education Advisory Council (SEAC), Hawaii's State
Advisory Panel under the Individuals with Disabilities Education Act
(IDEA), appreciates this opportunity to further address the proposed
restrictions to EDN 150 which provides services to students with
disabilities. SEAC would like to thank Vice Chair De Lima for
arranging a presentation on the budget restrictions by Amy Kunz to
our SEAC members on September 12th. Ms. Kunz did an excellent
job of laying out the factors affecting the Department's decision-
making in selecting sources of funding to meet the Governor's
anticipated budget restriction. We were gratified to learn of the
Department's ability to find an additional savings in EDN 100 due
to a lower than projected enrollment, thereby reducing the projected
restriction in special education funds to \$5.4 million.

SEAC assures this committee that we understand the challenge placed
upon the Department by the Governor's restriction and appreciate
the Department's commitment not to allow the reduction of funds to
negatively impact services and supports to this group of students who
as a group are the least well performing students in public schools.
However, we maintain that diverting \$5.4 million in EDN 150 funds
from projected "salary savings" poses a real risk to special education
students. Our reasons are as follows:

- 1) Budget and Finance, Office of the Governor does not identify
EDN 150 funds as discretionary.



- 2) The Department's, Board of Education's, and Governor's Budget Requests to the Hawaii State Legislature for EDN 150 funding in FY15 was based on the cost to provide direct instruction and related services to eligible students, whether through employees or contracts. The basis for determining this cost is the number of students, their educational characteristics, and the Department's agreed upon programs to provide such services. To our knowledge, there has been no significant change in the number of students, their educational characteristics, nor the Department's approach to providing these services.
- 3) The rationale in favor of using "salary savings" is mistaken. Salary savings, lacking a change in the method of service delivery or program, only verifies what many in the community already believe and performance data indicate: students with disabilities are being short changed.
- 4) Schools and complexes with vacant direct service positions invariably are required to make determinations regarding student services based on what *can* be done rather than what *needs* to be done. The result is fewer supports offered or unilateral reductions in already agreed upon services. The discussion generated by Ms. Kunz's presentation at our SEAC meeting cited a number of instances where this reduction in services is already occurring.
- 5) Special education academic performance must be improved this school year to avoid an OSEP finding that Hawaii *needs assistance* for two years in a row, thereby triggering a number of required corrective actions by the State.
- 6) Finally, SEAC believes that an alternative source of significant funding may be found through the School Based Reimbursement Program which provides federal reimbursements to the Department for the delivery of related services to students with disabilities.

Thank you for the opportunity to provide testimony on a matter of critical importance to students with disabilities. SEAC looks forward to a positive working relationship with the Board on improving services and the academic achievement of these vulnerable students.

Respectfully,

Ivalee Sinclair, Chair