



**S E A C**  
**Special Education Advisory Council**

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February 2, 2016

**Special Education  
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Audit Committee

Hawaii State Board of Education

P. O. Box 2360

Honolulu, HI 96804

RE: Agenda Item IV. B..Presentation of the Operational Review of the  
Special Education Program

Dear Chair Mizumoto and Members of the Committee,

The Special Education Advisory Council is most appreciative of the efforts expended by the Internal Audit Office in conducting its review of the business processes of the Special Education Program. Many of the issues that SEAC has brought to the Board's and Department's attention over the last several years were addressed in the report. The majority of these report findings present a moderate level of risk to the Department, which speaks to the urgency of fixing these problems in a timely manner.

With regard to the Internal Audit (IA) observations, SEAC would like to offer the following comments:

Observation 1.1 Lack of Qualified Personnel at the District Level

While not explicitly stated, SEAC assumes that the majority of vacancies at the District Level, are Educational Assistant positions. Given the key role EAs play in supporting students with IEPs, we suggest that a more robust and timely plan be developed to address this chronic shortage area. SEAC agrees that an EA Career Ladder is a worthy long range goal; however, it is not likely to provide relief for several years at best.

Observation 1.2 Lack of Qualified Personnel at the School Level

It is true that Hawaii shares a shortage of qualified special education personnel with 48 other states. Exacerbating the problem is that Hawaii's teacher's salaries are a questionable livable wage given our high cost of living. Despite these challenges, the dismal academic performance of many of Hawaii's special education students requires that we prioritize



and incentivize the search for highly qualified and effective teachers by offering relocation bonuses, and other contingency-based financial supports. Once we find highly qualified teachers, we need to place them in positions that match the skillsets they developed in pre-service training.

#### Observation 1.3 - Lack of Incentives to Retain Qualified Personnel

The excessive paperwork for special education personnel cited in the report is not solely due to personnel shortages resulting in a doubling up of tasks for teachers in the field. Every effort should be made to streamline reporting requirements to ensure that teachers work smarter and not harder and avoid having to spend time on unnecessary or duplicative reporting.

#### Observation 2.2 - Professional Development for Teachers and Principals

In meeting the critical need of teachers and principals for skill-building in meeting the diverse learning and behavioral needs of their students, SEAC cautions against an overreliance on web-based training modules to avoid pulling teachers out of classrooms. The relatively new field of *implementation science*--the scientific study of methods to promote the uptake of evidence-based practices into routine practice--has shown the importance of coupling knowledge of evidence-based practices with opportunities to practice new skills along with adequate coaching, supervision and administrative support.

#### Observation 2.3 - Communication with Parents

Communicating effectively with parents is one of the National PTA Standards for Family-School Partnership included in the Board's new policy of Family and Community Engagement/Partnership. Communication that leads to effective partnerships requires honesty, mutual respect and openness. Professional development on communication as a key element of family-school partnerships should model partnership by utilizing parents and community members as co-presenters. The Center on Appropriate Dispute Resolution in Education (CADRE) has a number of free training tools on their website ([www.directionservice.org/CADRE](http://www.directionservice.org/CADRE)). SEAC offers its assistance in future training efforts which we hope will be a part of the Department's implementation plan for the aforementioned Board policy. SEAC also would be pleased to review and provide input into the "Special Education Guide for Schools: A Resource Handbook" prior to its finalization.

In regards to due process, it is true that the numbers of hearing requests have declined over the last four or five years, and the Department appears to be settling with families in a larger percentage of cases prior to the due process hearing. However, the drop in requests may also indicate that families are having difficulty finding affordable and available legal representation, as there are only a handful of active plaintiff attorneys.

#### Observation 3.2 Private School Placement

SEAC chaired the committee that created the procedures for Acts 128 and 129, and we actively supported their passage. It is disappointing to learn that these laws are not being used



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effectively, and we are concerned on two levels-- 1) at the student level, it is impossible for the student's home school to develop an appropriate IEP without adequate information from monitoring and observation; and 2) on a systems level, the Department may not be adhering to the language and the intent of IDEA and Chapter 60.

Anticipated Completion Dates

Given the fact that the problems identified are long standing and somewhat intractable, it is hard for SEAC to envision that solutions will be found by June 30, 2016. However, by stating that the completion date for addressing each observation is a mere five months away, you are giving SEAC and the public that message. It would be helpful to have a more realistic timeline to ensure accountability and transparency.

Thank you for the opportunity to provide testimony on this important report. Should you have further questions or concern, please feel free to contact me.

Sincerely,

Martha Guinan  
Chair