



**S E A C**  
**Special Education Advisory Council**  
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August 20, 2020

**Special Education  
Advisory Council**

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Catherine Payne, Chairperson  
Hawaii State Board of Education  
P. O. Box 2360  
Honolulu, HI 96814

RE: V. A. Update on implementation of Board Resolution adopted on  
June 18, 2020, directing the Department of Education to prepare for  
the reopening of public schools for the 2020-2021 school year...

Dear Chair Payne and Members of the Board,

The Special Education Advisory Council (SEAC) appreciates the thoughtful and concise manner in which the Board has organized areas of concern for today's discussion regarding the reopening of schools for the 2020-21 school year. While SEAC attempted to read all testimonies from past Board meetings to raise our awareness of the concerns of various stakeholder groups, it has been very helpful to have the comments and concerns of school principals organized into topical areas.

SEAC shares many of those same concerns with a special emphasis on the needs of students with disabilities. While SEAC is comprised of a wide variety of special education stakeholders, including administrators, we pay particular attention to the voices of parents of students with disabilities. The following comments represent a consensus of our members.

Health and Safety

While the course of COVID-19 in Hawaii has necessitated numerous revisions to educational planning to maintain the health and safety of students and staff, uneven planning has sometimes resulted in reactive rather than well-thought out solutions. SEAC believes it is both possible and necessary to create a contingency plan for all public schools that spells out *in advance* clear triggers that necessitate a move to total distance learning. This would enable a shared understanding and allow families more time to anticipate upcoming changes to their child's educational delivery mode.

Distance Learning

SEAC has three major concerns regarding distance learning:

1) As we stated in our testimony of July 30th, there is still confusion



Distance Learning (cont.)

and potential misapplication over the terms used to describe distance learning and online learning. SEAC finds the Board's own definition of distance learning-- *where the teacher delivers instruction virtually or online through web-based or internet-based mediums or delivers instruction through other remote mediums*-- particularly mind-boggling for lay persons. The Exceptional Support Branch has reached out to SEAC and other parent organizations to try to come up with explanations of the terms that make sense to families. The sooner we can vet and circulate those explanations, the closer we will be to a shared language and understanding across the State.

- 2) It is still unclear whether the devices, the software and the learning platforms being offered to students with disabilities contain the accessibility features to meet their unique learning needs, and whether educators responsible for delivering instruction to these students have received adequate training in identifying and maintaining access to these features for students who need them to benefit from their education.
- 3) SEAC is aware that at least some schools are misinterpreting requests by parents of students with IEPs for 100% distance learning in order to maintain the health of a child with preexisting conditions as refusing the school's offer of a free and appropriate public education. Parents have been told that by opting for distance learning, the school will no longer be responsible for providing related services and specially designed instruction. This is a clear violation of IDEA.

Personnel

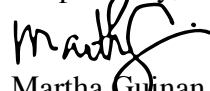
SEAC is extremely concerned that the Department's capacity to provide qualified special education teachers may be severely impacted by teachers taking early retirement or paid leave in order to avoid the risk of exposure to COVID-19 while on a school campus. We also worry about the minimal training being given to substitute teachers who may end up becoming long term subs. It is our belief that they will need more adequate training and support in the new health and safety protocols and learning modalities related to COVID-19 to adequately serve students with disabilities.

Communication

It is clear from the administrators' comments that they have been seeking guidance on how to ensure the rights of special education students. SEAC holds that the only way to ensure equity and excellence for students with disabilities is to have state leadership deliver timely, comprehensive and cohesive guidance to all public schools that results in comparable services statewide.

Like administrators, SEAC wants to be part of the solution. We appreciate this opportunity to provide comments and we stand ready to work collaboratively with the Department and the Board to find creative solutions to the delivery of quality educational services to students with disabilities.

Respectfully,

  
Martha Guinan  
Chair

  
Ivalee Sinclair  
Legislative Committee Chair

*Mandated by the Individuals with Disabilities Education Act*