

SPECIAL EDUCATION ADVISORY COUNCIL

Minutes – May 22, 2020

9:00 a.m. – 12:00 p.m.

PRESENT: Andrea Alexander, Debbie Cheeseman, Rebecca Choi (for Mary Brogan), Mark Disher, Martha Guinan, Scott Hashimoto, Amanda Kaahanui (staff), Annie Kalama, Tina King, Bernadette Lane, Dale Matsuura, Cheryl Matthews, Kaili Murbach, Wendy Nakasone-Kalani (for Bob Campbell), Kau‘i Rezentes, Susan Rocco (staff), Rosie Rowe, David Royer, Steven Vannatta, Lisa Vegas, Jasmine Williams, Susan Wood

EXCUSED: Brendelyn Ancheta, Virginia Beringer, Annette Cooper, Carrie Pisciotto, Ivalee Sinclair, James Street, Francis Tael

ABSENT: Cathy Kahoohanohano

GUESTS: Heidi Armstrong, Kevin Bardsley-Marcial, Brian Black, Sandra Jesmon, Jeff Krepps, Kiele Pennington, Paula Whitaker

TOPIC	DISCUSSION/ACTION
Call to Order/ Welcome	Chair Martha Guinan called the Zoom meeting to order at 9:05 a.m.
Introductions	Members and guests introduced themselves.
Input from the Public	Jeff Krepps (Bayada), the facilitator of the Special Education Provider Alliance (SEPAH), a dozen contract agencies that provide ABA and BISS services, thanked the Department for its plan to provide telepractice and campus-based learning. He asked for clear information on ESY and learning hubs to clear up current confusion over services. A lack of information has resulted in a loss of capacity for contract agencies as employees migrate to more secure jobs.
Announcements	<p>Amanda Kaahanui made the following announcements:</p> <ol style="list-style-type: none"> 1. The Elderly Affairs Division has partnered with the State Council on Developmental Disabilities to use CARES Act funds to provide expanded food and meal services to vulnerable populations. Included are vulnerable individuals with disabilities on Oahu who are in the most need for home delivery. Members and guests were asked to call Daintry Bartoldus, Martha or Susan Rocco, if they know of anyone who could benefit from this outreach. Action: Susan will send out information regarding a Zoom meeting on May 29th at 3:00 p.m. facilitated by Derrick Ariyoshi, Honolulu County Executive of the Elderly Affairs Division. 2. HIDOE has posted an infographic describing Summer 2020 Learning Opportunities & Resources. The flyer does not mention special education students, and Amanda discovered that the available slots for E-School and summer school closed out prior to the posting of the infographic. AS Armstrong commented that the Department is trying to add more courses through E-school and will provide accommodations for students with disabilities. 3. Student surveys were sent out by the Department asking about barriers to accessing enrichment learning opportunities including access to devices and internet services. A parent survey will be sent out in June seeking input on family experiences during school closures and whether parents

<p>Announcements (cont.)</p>	<p>feel safe sending their children back to school in August. Kau‘i Rezendes asked if the student survey was mailed home.</p> <p>Action: Amanda will forward a copy of the student survey to members.</p> <p>4. The Superintendent is planning another Zoom meeting with parents on June 2nd to update them on the Department’s activities and plans for the new school year. Families are asked to register by Monday, May 25th.</p>
<p>Update on the Provision of Special Education Services During the COVID-19 Pandemic</p>	<p>Annie Kalama, Director of the Exceptional Support Branch (ESB), acknowledged C. J. Rice for providing a comprehensive report on their activities at the April meeting. Annie provided the following updates:</p> <p><u>4th Quarter Progress Reports</u> Teachers are now completing their 4th Qtr. reports and documenting parent input plus any COVID-19 information. This documentation helps to inform needed modifications to programs.</p> <p><u>Monitoring and accountability</u> The Monitoring and Compliance Office (MAC) put together a checklist tool to monitor student progress. The Department wants to implement the IEP to the greatest degree possible in spite of school closures. A team from ESB is working with MAC.</p> <p><u>Preparing for in-person services</u> ESB has been planning for in-person services for two weeks, and only learned on May 18th that schools could officially open. ESB hosted a webinar on May 20th for principals and District Educational Specialists (DES), providing resources for special populations.</p> <p><u>Summer programming</u> When students return to school, teachers will conduct initial evaluations. Over the summer, students who are eligible for Extended School Year (ESY) services will be offered them as a means to implement IEPs. Annie’s team recognizes that the transition to in-person services may take time to prepare. It is not clear whether all staff will come back in, including paraprofessionals. The focus is on ensuring access for all students by providing disability-friendly software and accommodations and modifications for all summer learning opportunities. ESB is also talking about the opportunity to create learning hubs, specifically targeted for students in need of specific skills sets like reading and behavioral supports.</p> <p><u>Field survey</u> The Department conducted a field survey in April about whether and how students were accessing services. Schools worked with their service providers to collect counts on paper packets vs. online services with speech, OT, PT, ABA, and counseling. EBS wanted to know what students haven’t received any services to date.</p>

<p>Update on the Provision of Special Education Services During the COVID-19 Pandemic (cont.)</p>	<p>Questions and comments from members and guests</p> <p>Q. When will the 4th Quarter progress report be delivered? A. The same time as report cards.</p> <p>Q. Is there a plan to document lost 1:1 time with paraprofessionals? A. There is a lot of discussion on compensatory services that is happening nationally as well. OSEP has still not provided clarity. ESB was on the phone with the Council for Exceptional Children (CEC) today, and there was some discussion regarding the legal definition of compensatory <i>services</i> vs. compensatory <i>education</i>. ESB has drafted some guidelines, discussed them with LDAH and SPIN and consulted with the Attorney General's Office. Now we're waiting for final guidance from the Office of Special Education Programs (OSEP).</p> <p>Q. Is pay for summer school teachers less? A. No, they are Part Time Teachers and get an hourly rate. ESY teachers get a higher rate.</p> <p>Q. Will summer programming be virtual or in-person? A. It could be both. Parents may not want their child to come back on campus.</p> <p>Q. If we have students who don't qualify for ESY, but they need additional support in math or English, will they be able to access a learning hub? A. Yes.</p> <p>Q. If a principal wants to open a hub, would they have to apply for CARES Act money? A. There is a one-page application form going out today. We are happy to assist with the application process.</p> <p>Q. Who determines services for ESY? A. The indicated service for ESY should already be in the IEP. It is all IEP team driven.</p> <p>Q. Will the minutes in the IEP specified for speech or parent training be provided? A. They should be if the student can come back to school. With distance learning, these services are not always possible.</p> <p>Q. Is there an anticipated date for school reopening? A. June 1st. The learning hubs will start on June 4th or 8th.</p> <p>Q. For ESY students programming will begin in the first few weeks of June. Will we know if the school campus is available, or will it be provided through distance learning? A. We just learned that schools will be opening and are awaiting greater clarity on the details.</p> <p>C. You will need to know what staff are coming back. A It is challenging for the DESs to recruit summer staff, and the Office for Talent Management have offered to help with recruiting.</p> <p>Q. I am looking forward to initial evaluations. What about re-evaluations? What is the timeline for those? A. ESB reminded schools that they can begin evaluations as soon as school opens. There will definitely be a backlog, so schools are asked to prioritize who needs to be included in the first evaluations.</p> <p>Q. How can parents advocate for compensatory services if the guidelines are uncertain? A. It is important to be sure you have information on how things have gone during the break. Compensatory services will be based on student need.</p>
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<p>Update on the Provision of Special Education (cont.)</p>	<p><u>Questions and comments from members and guests (cont.)</u> Q. Do you have the data from the April field survey regarding related service provision? A. No, not yet. We expect the on-line numbers to go up in May. We have provided guidance to schools on how to do virtual ABA.</p>
<p>Membership Issues</p>	<p>Rosie Rowe reported out from the Membership Committee on the following: <u>Renewal Requests for Members with Expiring Terms</u> SEAC’s bylaws allow members who wish to extend their three-year term to request reappointment. The Membership Committee polled active members whose term expires in May 2020, and all expressed an interest in continuing in their role. One parent representative is being considered for appointment in another category. The Committee is also seeking a representative from an agency that serves children who are homeless. <u>Nomination of Candidates for Membership Consideration</u> The Committee is in the process of putting together a slate of nominees to send to the Superintendent for her consideration of appointment to SEAC. Five new member applications have been received in the last year and several more are anticipated within the month. Rosie asked members to postpone a vote on a slate of member candidates until August to give the Committee more time to finalize their recommendations. She invited member input on the positions needed to restore a 51% majority of members who are parents of children with disabilities aged 26 or younger and/or individuals with disabilities. If the position for homeless children representation is filled, three additional members who are parents/persons with disabilities will be required. Action: Annie Kalama will work with the Committee to help secure a HIDEOE representative who works with students who are homeless. <u>Nomination and Election of SEAC Officers</u> The SEAC Leadership Team and the Membership Committee recommend that SEAC revert back to electing one Vice Chair rather than the three positions currently set in SEAC’s by-laws. The Committee recommended its top candidates: Martha Guinan for another one-year term as Chair and Susan Wood to serve as Vice Chair. Rosie asked if there were additional nominations from the floor. There being none, members voted in Martha and Susan W. Martha thanked members for affirming their confidence in her leadership. Action: SEAC will vote to amend its by-laws in the Fall to reflect one Vice Chair position rather than three.</p>

<p>Due Process Update</p>	<p>Susan Rocco provided a brief report on special education due process activity for SY 18-19. SEAC historically reports on the previous year’s due process hearing requests, hearing decisions, written complaints, resolution sessions and mediations, in order to present an accurate picture of how conflicts that were pending at the end of the school year were resolved. SEAC’s authority to review due process hearing decisions comes from IDEA, and its annual report provides information on conflict resolution trend data that may result in recommendations to the Superintendent.</p> <p><u>Resolution of 2018-19 Hearing Requests</u></p> <p>Only 4 hearing decisions have been posted on the HIDOE website and Susan is checking to see if there are additional hearing decisions not yet posted. Of the 54 requests filed, more than half (28) resulted in a Resolution Agreement. 75% of the requests for hearing involved the issue of reimbursement costs for a student’s placement in a private setting.</p> <p><u>Conflict Resolution in Hawaii Compared to National Data</u></p> <p>Hawaii can be compared with other states by calculating rates of dispute resolution per 10,000 special education students. While Hawaii’s number of hearing decisions is slightly above the national norm, the utilization of state written complaints and mediations is significantly lower than the national average. Both of these dispute resolution methods are timely and less costly than due process hearing requests that result in hearings before a hearing officer. Mediations have been shown to be superior to other methods in preserving the family-school relationship.</p> <p><u>Areas for further exploration</u></p> <p>SEAC is not able to determine from its limited data sources whether families in Hawaii are having difficulty finding affordable and available legal representation. It is also unclear why mediation is so underutilized. Susan R. suggested that SEAC repeat its recommendation from the previous year that information on due process hearings, written requests and mediations be posted on the HIDOE website in a more timely and accessible manner.</p> <p><u>Questions/comments from members and guests</u></p> <p>Q. When a parent files a due process complaint, where does it go? A. (Annie) The chain of custody is from the principal to the Department head to the District Educational Specialist and then to the MAC Office.</p> <p>Q. Can you explain why schools are not offering ESY for students who are 2-3 years behind in their skills, and yet the school says there is no regression? A. (Annie) Some students have trouble recouping lost skills due to the nature and severity of their disability. Other students are awarded ESY related to goals leading to self-sufficiency. The decision is made by the IEP team.</p> <p>Q. Is the granting of ESY a subjective or objective decision? A. (Annie) There is no formula for ESY, so it is a subjective decision based on objective data.</p>
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<p>Annual Report Discussion</p>	<p>Susan R. reminded members of the responsibility to prepare a report for the Superintendent reflecting on the year’s activities and offering recommendations related to issues not resolved through discussions. For the last several years, SEAC has inserted a data infographic into the report that highlights concerning data trends for students with disabilities. Susan R. suggested that the SY 19-20 report also include some positive trends, such as the improved LRE for students at Hui Pu schools. AS Armstrong stated that she and others in the Department appreciate SEAC’s constructive feedback. It allows them to see if their intentions are matching the outcomes experienced by various stakeholders and provides potential avenues for improvement.</p> <p>Action: Susan will provide drafts of the data infographic and entire report prior to submission to the Superintendent.</p>
<p>Review of Minutes from April 24, 2020</p>	<p>No edits were offered for the draft minutes.</p> <p>Action: The minutes were approved as circulated.</p>
<p>Agenda Setting for the August 14, 2020 Meeting</p>	<p><u>Meeting venue</u> Annie K. explained that she has reached out to Pu‘uhale School regarding the use of their Library Meeting Room for in-person SEAC meetings, but she has not heard back from the principal. It is highly likely that the next several SEAC meetings will need to be held virtually due to the DOH restrictions on meeting in groups larger than 10 people due to the COVID-19 pandemic.</p> <p><u>Selection of SEAC Priorities for SY 20-21</u> Steven reviewed the importance of setting priorities for discussion at the first meeting of the school year, so that maximum use can be made of the time remaining in the next nine meetings. Potential priorities to be considered included:</p> <ul style="list-style-type: none"> • Inclusive education; • Distance learning in the age of COVID-19 (lessons learned); • Compensatory services; • Promoting and supporting educators and partnerships; and • How to support the continuation of services by the provider community. <p><u>Additional comments</u> Amanda and Susan W. pointed out that there are numerous surveys which may provide information—especially on distance learning—including surveys by HIDOE of students, teachers and parents, and parent surveys by Parents for Public Schools, Hawaii Kids CAN, and the After School Alliance. Andrea Alexander, from the Hawaii Parent Engagement Center, stressed that their teacher cohort on Kauai has been overwhelmed by the new teaching requirements related to distance learning, and they need support and guidance on how to engage families during the pandemic. David Royer reminded members of the</p>

<p>Agenda Setting for the August 14, 2020 Meeting</p>	<p><u>Additional comments (cont.)</u> desire to hear from Janet Kim regarding the UH special education teacher preparation program. Susan R. added that August is typically the month that SEAC members review the OSEP determination based on Hawaii’s 2020 Annual Performance Report and State Systemic Improvement Plan submittals. Action: Martha will take this input to the SEAC leadership team to come up with some tentative priorities to begin the discussion in August.</p>
<p>Infographic Work Groups</p>	<p>Amanda offered to share a training video she created using Zoom on how to use the Venngage website to make and edit infographics. She is also available to set up a personal zoom meeting with any member and go through editing basics. If SEAC is meeting virtually at the beginning of the school year, Amanda can set up break-out rooms for the various work groups. Martha added that she expects groups to send her a list of their goals and required resources/supports. Working groups include:</p> <ul style="list-style-type: none"> • IEP Team members, • Behavioral Supports, • Diploma vs. Certificate, • Parents as Partners, • Student Support Staff Positions (for behavior support) and • Chronic Absenteeism.
<p>Certificates of Appreciation and Special Acknowledgements</p>	<p>Martha announced that the Superintendent is in the process of signing Certificates of Appreciation for all SEAC members in acknowledgement of their volunteerism and team efforts. They will be mailed out along with small thank-you gifts from SPIN staff. Members with exemplary attendance were also recognized including Martha Guinan and Rebecca Choi (8 meetings) and Mark Disher, Scott Hashimoto, Jasmine Williams and David Royer (7 meetings).</p>
<p>Discussion Regarding Devices Loaned to Students During School Closures</p>	<p>Amanda learned from a teacher at a Honolulu elementary school that the devices they had loaned out to students for enrichment were being recalled due to a significant reduction in the school budget; there was no money to replace the device should the student lose it. Steven wondered what schools do when devices are not returned or returned but not in working order. It would be difficult to determine whether there was abuse/neglect or natural break down. Paula Whitaker mentioned that some organizations are offering matching funds for devices for students, including Seeds for Peace.</p>