**SPECIAL EDUCATION ADVISORY COUNCIL**

**Draft Minutes – December 11, 2020**

**9:00 a.m. – 12:00 p.m.**

PRESENT: Andrea Alexander, Virginia Beringer, Annette Cooper, 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), Kiele Pennington, Carrie Pisciotto, Kau‘i Rezentes, Susan Rocco (staff), Rosie Rowe, David Royer, Steven Vannatta, Lisa Vegas, Jasmine Williams, Susan Wood

EXCUSED: Ivalee Sinclair, James Street, Francis Taele, Paula Whitaker

ABSENT: Sara Alimoot, Brendelyn Ancheta, Sarah Man

GUESTS: Heidi Armstrong, Verna Chinen, Patty Dong, Sandy Jessmon, Lori Morimoto, C.J. Rice, Kelli Taniguchi, Cara Tanimura, Brikena White

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| **TOPIC** | **DISCUSSION/ACTION** |
| **Call to Order/Welcome/ Introductions** | Chair Martha Guinan called the Zoom meeting to order at 9:05 a.m. and asked members and guests to introduce themselves.  |
| **Update on Annual Performance Report Indicators** | Cara Tanimura, Director of the Monitoring and Compliance (MAC) Branch and her monitoring team members, Brikena White, Lori Morimoto and Patty Dong, briefed members on the State Performance Plan/Annual Performance Report Indicators for FFY 2019 (2019-20). MAC will be submitting them to the Office of Special Education Programs (OSEP) in February on behalf of the Department. Cara cautioned that the data is preliminary and asked members not to distribute it. MAC will notify AS Armstrong when the report is finalized, and it will be uploaded to the DOE website once OSEP reviews it. The U.S. DOE reviews data from every state to make determinations on the implementation of IDEA.Mechanism for Input by SEAC members and othersThe MAC office is utilizing an App called Padlet to solicit input by Friday Dec. 18th. Sticky notes have been created for those indicators that experienced slippage, along with data trends. MAC would like members to offer potential reasons for the slippage, as well as suggestions for improvement. **Action: Members will go to** [https://padlet.com/100052011/SEACinput](https://padlet.com/100052011/SEACinput/) **to provide feedback.**Setting Indicator TargetsOSEP is not requiring future targets to be set in this year's submission. MAC plans to meet with SEAC over the late summer/early fall to set new targets for the next 6-year cycle. OSEP also acknowledges that COVID-19 may have impacted the collection, validity and reliability of data for some of the indicators. If states do see an impact, OSEP is requiring that they provide a justification and a suggested remedy. Submission datesThe SSP/APR (Indicators 1-16) is due on February 1st. The State Systemic Improvement Plan (Indicator 17) will be prepared by the Exceptional Support Branch and is due April 1st.  |

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| **Update on Annual Performance Report Indicators (cont.)** | Indicator 1 - Graduation rate This is defined in Hawaii as the % of youth with IEPs who graduate from high school within four years with a regular diploma. The rate shows slight slippage for the past two years and is roughly 24 percentage points behind students without IEPs.Indicator 2 - Dropout rateThis data, like the graduation rate, is lagged one year. While the dropout rate was reduced, it did not meet the target set. The five-year data trend reflects a change in methodology in 2015 for calculating the rate.Indicator 3B & 3C - Participation and Performance in Statewide AssessmentsOSEP approved Hawaii's request for a waiver from conducting a statewide assessment at the end of the 2019-20 school year due to the impact of COVID-19, so no data was collected on this indicator.Indicator 4A & 4B: Suspension/ExpulsionThis is defined as the % of districts that have a significant discrepancy in the rate of suspensions greater than 10 days in a school year. In-school suspensions are not included in the calculation. In 4A, OSEP looks at the rate differences between students with and without IEPs. Because of the formula Hawaii has been approved to use, there were no discrepancies, despite the appearance that students with disabilities were suspended three times more often than students without disabilities. Some complexes have a higher suspension rate than others, but because Hawaii is one unitary system, an overall rate is submitted. In 4B, suspension rates for students with disabilities are compared by ethnicity. Data shows that students who are Native Hawaiian or other Pacific Islander are being suspended at a higher rate than other ethnicities. Due to the measurement Hawaii has been approved to use, this doesn't rise to a significant level for OSEP. However, MAC views this as a yellow flag that may necessitate a new measurement system.Indicator 5 - Education Environments (6-21)This measures the % of school-age students with IEPs in three environments or placements:A. inside the regular class 80% or more of the day;B. inside the regular class less than 40% of the day; andC. in separate schools, residential facilities or homebound/hospital placements.The trend for 5A is up, due in large part to working with Stetson for the last five years. Inclusive placements are the goal for most students. 5B also shows progress in decreasing the number of students who spend most of their school day in a self-contained classroom. 5C has consistently met the targets by having a very low number of students served off-campus.Indicator 6 - Preschool Environments (3-5)This measures the % of students aged 3-5 with IEPs A) attending a regular early childhood program and |

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| **Update on Annual Performance Report Indicators (cont.)** | Indicator 6 - Preschool Environments (3-5) cont.receiving the majority of their special education and related services in that program, and B) attending a separate special education class, separate school or residential facility. The goal is to increase 6A and decrease 6B. Trend data has been consistent but not meeting targets, which poses a concern.Indicator 7 - Preschool OutcomesThis indicator measures the % of preschool children with disabilities who demonstrate improved: A. positive social-emotional skills (including social relationships),B. acquisition and use of knowledge and skills (including early language/communication and literacy),C. use of appropriate behaviors to meet their needs.Within each parameter, data is collected on both rate of growth and whether children are functioning at age expectations when they exit the program. Some of the drop in outcomes can be linked to changes in the way data is measured by the primary measurement tool--TS Gold--when the baseline changed in 2017. Targets were not met all on all outcomes in SY 19-20, and the discrepancy between data and target is highest regarding meeting age expectations. Indicator 8 - Parent InvolvementData reflects the % of parents with a child receiving special education services that report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.The trend data shows improvement, but the 19-20 data fell below target. The response rate has reduced by almost a half from FFY 2018 to FFY 2019 (5.8% to 3.3%), although it was still sufficient for a confidence level for reporting. The parent survey contains 25 multiple-choice questions. Parents should be offered an opportunity to complete the survey after the annual IEP meeting. To try to boost responses, the survey for 20-21 SY is now online and available in multiple languages.Indicator 9 and 10 - Disproportionate Representation (due to inappropriate identification)The MAC office is doing a current review of 400 files for these indicators, and the data is not yet available. MAC will bring the information to the January meeting.Indicator 11: Child FindStudents must be evaluated within 60 days of receiving parental consent for initial evaluation. Schools who have students who have been evaluated beyond the timeline receive a citation and must monitor future evaluations for compliance with the timeline. COVID-19 appears to have affected timely evaluations in the 4th quarter, leading to a lower percentage of evaluations within 60 days for the year.Indicator 12 - Early Childhood TransitionThis measures the % of children referred by Part C prior to age 3 who were found eligible for Part B and have an IEP developed and implemented by their third birthdays. The target is set at 100%. The  |

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| **Update on Annual Performance Report Indicators (cont.)** | Indicator 12 - Early Childhood Transition (cont.)Department met with the Early Intervention Section at the beginning of COVID-19 to address and reduce challenges created by moving from face-to-face to online services. Encrypted emails have replaced faxes, but there were other delays due to late referrals, difficulty scheduling meetings, limited staffing, etc. Consequently, the compliance rate fell almost 8 percentage points in FFY 2019. Indicator 13 - Secondary TransitionData on this indicator will be shared in January as the MAC team is still conducting file reviews. This indicator is a priority for the department due to a historical pattern of falling short on targets. MAC and ESB are working with the District Educational Specialists to share data and offer professional development and improvement strategies. Indicator 14 - Post-School OutcomesThe data collected for this indicator occurs one year after leaving high school and measures what % of youth are A) enrolled in higher education, B) enrolled in higher education or competitively employed, and c) enrolled in higher education, competitively employed, or in some other kind of employment (family business, Job Corps, etc.). Data for 2019-20 had two sets of data--one with drop-outs included and another with drop-outs excluded. The response rates for FFY 2019-20 were about 50%, which is quite good and due in part to having respondents respond online. 80% reported they were participating in an activity that they enjoyed.Indicator 15 - Resolution SessionsThis indicates the % of hearing requests that went to resolution sessions and were resolved through resolution session settlement agreements (SAs). SEAC helped to raise the target for SAs to 60% last year and the target was met for SY 19-20.Indicator 16 - MediationsThis represents the percent of mediations held that resulted in mediation agreements. Because Hawaii has not held 10 or more mediations in a school year for quite some time, no baseline or targets are required by OSEP. In FFY 2019 there were 7 mediations held.Additional ResourcesThe MAC team prepared a resource list for more information that includes [Hawaii's Part B Reports & Resources](http://www.hawaiipublicschools.org/VisionForSuccess/SchoolDataAndReports/StateReports/Pages/Special-Education-Performance-Report.aspx), [Operation Search](http://www.hawaiipublicschools.org/DOE%20Forms/Special%20Education/Operation_Search.pdf), the [Parent Involvement Survey](https://www.hiparentsurvey.com/hawaii/altlogin.php), [SPP/APR Indicator Card](https://ideadata.org/sites/default/files/media/documents/2020-11/58103_IDC_LmntdCrds_PRINT.pdf), and [SPP/APR FFY 2019 Measurement Table.](https://osep.grads360.org/#communities/pdc/documents/19741) Members are also encouraged to write their questions in the Padlet, or contact the MAC office.Questions/comments from members and guestsQ. Should members set up a Padlet account to provide comments? A. It isn't necessary. All comments, whether named or anonymous, will get the same attention. |

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| **Update on Annual Performance Report Indicators (cont.)** | Questions/comments from members and guests (cont.)Q. Are the graduation rates posted from SY 2018-19? A. Yes. Data on graduation is lagged--one year behind other APR data.Q. Does the graduation data include students graduating with a certificate, as well as with a diploma? A. No, only students graduating with a regular diploma.C. In order for Hawaii to meet the 3% discrepancy required for significance under Indicator 4, we would have to suspend special education students twelve times more than general education students. That doesn't sound right. A. If SEAC and others feel the threshold is too high, we can get together and propose another formula for FFY 2020.C. In the past, the red flag was raised when kids with disabilities were suspended 3-3.5 times more often than other kids. That still seems to be occurring. A. We are seeing this and addressing it with different complexes, but we would have to get new formulas approved by OSEP for calculating 4A and 4B in order to report a significant discrepancy. When we meet in the mid-summer, we can change the formula to better reflect the rate. One way would be to use the same threshold Hawaii uses for Significant Disproportionality--1.75.Q. Why are there no numbers in the target for suspensions? A. That's because the target is 0%. There should be zero discrepancies. C. Because Hawaii doesn't have Local Educational Agencies (LEAs), you send combined data for the whole state, but you are able to look at the districts and complexes to see if one or more is out of whack. A. Yes, that's right, and MAC and ESB have been facilitating Professional Learning Communities by sharing the indicator data and encouraging data-driven decision making.Q. Can you talk about how preschool outcome data is gathered? A. Within 60 days of a preschool student entering a program, an assessment occurs including observations and conversations with parents and teachers. Prior to moving out of the preschool program, the child is assessed again and the data is fed into the standardized formulas for outcome data.Q. Are you offering the parent survey in paper version as well as online? A. Yes, and we are thinking that last year's response rate might have been due in part to COVID-19 interruptions to IEP meetings.Q. Who is responsible for sending the parent survey to parents, and is the school responsible for sharing the survey after the IEP meeting? A. We have been coaching schools through our Professional Learning Communities to be sure to provide the survey to parents after the IEP meeting.Q. Is there a follow-up to giving the parent the survey or is it just once a year? A. Just once a year at the initial or annual IEP. |

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| **Update on Annual Performance Report Indicators (cont.)** | Questions/comments from members and guests (cont.)Q. Is it a 'one and done'? Is there any follow-up to check with the parent to see if they had an opportunity to complete the survey? A. Not to date. It's been rather difficult to reach out to parents.Q. Where do you get demographic data on who is filling out the survey? Without it, how can you be sure your responses are representative of the student population? A. The first portion of the survey indicates the school and grade. Ethnicity and child's age and disability data is collected at the end of the survey.Q. Is there a mechanism in eCSSS to document that the survey was given to the parent? A. No, but that could be a future consideration or a checklist of what to have available at the IEP meeting.C. You could have a tablet at the IEP meeting, and a staff could ask the parent to fill out the survey at the end of the meeting. A. We like that idea. That's why we also included a QR code on the present survey.Q. When the measurement table says FFY 2019 for Indicator 11, does that mean SY 2019-20? A. Yes, the only lag indicators we have are 1, 2, 4A and 4B.C. It might be helpful to list the year referenced for each indicator on the Padlet, so that folks can take COVID effects into consideration where appropriate. A. Thank you. We will do that.Q. Is there disaggregated data for Indicator 12--specifically during the COVID impacted months? A. Yes, we can see the range where the initial referral was placed and the IEP developed, so we can see whether it is due to COVID.Q. For Indicator 11, when schools cannot complete certain evaluations for eligibility, are the children not receiving services? Is the process left open/not completed? A. When schools could not conduct an evaluation virtually, or could not meet with the parents due to COVID, the evaluations are not to be left open. When they are, it is typically due to the parent not wanting to meet or rescheduling. MAC asks for detailed documentation of any delays.Q. When you reach out to the student for the post-secondary survey, do you only contact the student, or do you reach out to the family, too, to get information? A. (Brik) The student or the family can respond. (Lisa) Anyone who answers the phone and can answer the questions. We indicate who we talked to.C. This year it really helped to have the state constantly reminding us to complete the surveys.C. (Lori) I want to thank Lisa and Olomana School for helping to conduct the phone interviews. They got nearly 100% of responses from their former students.Q. Do you get any feedback from families that are involved in mediation? A. Mediations are supposed to be impartial, but I can check with Taren Taguchi in the Complaints Management Office regarding any feedback. |

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| **Input from the Public** | Lack of adequate in-person instructionA grandmother shared her concern that some students with disabilities are not receiving adequate instruction. Her granddaughter's school recently went to two tracks where students go to school two days a week and have no instruction the other two days. As a consequence, her granddaughter went from all "A"s to "F"s. She was able to get her back on campus for more days, but it's more like a study hall gathering. Her granddaughter has been able to bring up two "F"s but is still struggling. C. J. Rice agreed that schools offer different instructional models, so for students with disabilities, it is important to monitor and add additional accommodations as needed. She encouraged the grandmother to meet with the IEP team to ask how to best meet her granddaughter's needs. She acknowledged the difficulties with distance learning as teachers are learning as they go. If furloughs take place, schools will face further adjustments.Maintaining LRE during the pandemicSEAC member Kiele Pennington asked for information from the State office about how IEP teams can proceed with a discussion about LRE during COVID. She asked what parents can do to ensure LRE and appropriate services for their children. Some IEP teams are citing previous guidance from the State Office that services cannot be provided in the home. She asked if there is new guidance from the State Office. C.J. responded that each child's LRE should be individualized, and the IEP should be facilitating inclusive practices. She offered a [link](https://drive.google.com/file/d/1rXvv1xT2BDLPHUQ8Z3pgtEnd9yGuEnol/view?usp=sharing) to new guidance regarding homebound services.4th Quarter Focus on Testing The grandmother who spoke earlier asked for clarification on information from a teacher at her granddaughter's school that the 4th Quarter in 2021 would contain no instruction, only assessments. C.J. said she was unaware of such a plan and will look into it. |
| **Preschool Transitions and Supports During COVID-19** | Verna Chinen, an Education Specialist in the Exceptional Support Branch, shared the following:Evaluation and Eligibility Data during COVID-19In 2019-20 71% of the preschoolers who were referred to DOE were found eligible for services. From August to November 2020, 64 % were found eligible, 4% ineligible, 30% no decision and 2% were withdrawn or the parent did not provide consent. ESB is following up to find the root of the issue of referrals with no decision. ESB is encouraging virtual authentic assessments to see how the child is doing at home in their natural environment.Service Delivery during COVID-19ESB also collected service delivery model data as of September 2020 on how many early learners were receiving services via in-person instruction (46%), through distance learning (33%), in a hybrid model (11%), or through packets (5%). ESB has strongly recommended in-person learning as much as possible.  |

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| **Preschool Transitions and Supports During COVID-19 (cont.)** | Service Delivery during COVID-19 (cont.)There appears to be a lot of discrepancies among complex areas between offering in-person vs. distance learning. Hybrid learning might have been necessary in order to maintain social distancing. ESB is following up in areas where there was an issue of low in-person instruction and a higher use of packets. In some instances, students came to school for instruction and received their related services through tele-practice. Early Childhood DataESB is quite concerned with slippage in the Preschool Outcomes indicator data around acquisition and use of knowledge and skills (including language communication). Only about 45% of preschoolers met this target in 2019-20. Children entering kindergarten have been continuing to struggle with early knowledge and language acquisition, so ESB has made this a priority. Research has shown that many students are at risk for reading difficulties because of differences in knowledge of spoken language and the world that it is used to communicate about. November 2020 data shows that 91% of Hawaii's special education preschool students have oral language difficulties, and 75% of that population receives speech and language services as their primary area of difficulty. That indicates to ESB that these children need to have their oral language foundational skills built up.Building CapacityESB has put together a professional leadership group consisting of speech/language pathologists (SLPs) and 619 coordinators that has been meeting for the last three years to address how to build oral language and pair it with reading competency. Reading needs to be a priority as soon as these preschoolers begin to receive special education. The focus has been on working on narrative abilities--the ability of children to tell their story, including feelings and emotions. It will move children from casual conversation to academic language to future job success.Story GrammarThis focus of the professional leadership group--a specific way of building up narrative abilities using 'braiding' and the use of puppets to help children tell their story. ESB is trying to build capacity by having SLPs and preschool teachers train together. This roll-out has been interrupted by COVID, but ESB is hoping teams build up this skill within their own geographical areas. The pilot project showed improvements in children's oral language skills, even with kids on devices. Engaging Parents The group also wants to work with parents on tools to engage with children while reading--identifying critical words to understand the story and reading the story over and over. The more background  |

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| **Preschool Transitions and Supports During COVID-19 (cont.)** | Engaging Parents (cont.)knowledge a child has, the more he or she can engage with print and dialogue about a book. Research has shown that children need repeated opportunities. Service Delivery OptionsChildren in preschool special education classrooms don't have as much opportunity to be in their natural environments, and not all children need to be in the self-contained special education classroom to receive their specially designed instruction (SDI). Services can also be delivered in the home and community as needed. Verna's leadership group is looking at ways to reach out to parents and grandparents regarding options for delivering SDI. Questions/comments from members/guestsQ. How did you get the data on service delivery models for early learners? A. The data was self-reported by teachers through a survey sent by ESB to 619 Preschool Coordinators. Q. Do you have any data on what is being done right now? Has Story Grammar been shared with parents? Will SLPs be doing that? A. About 80% of SLPs have been trained on Story Grammar and many have been using it through tele-practice sessions while the parents are sitting next to their children. Q. Are services delivered 1:1 or by consulting with teachers? A. Both. The pre-COVID pilot revealed that children made the most gains when their teacher had a strong relationship with the SLP. There was some growth if just the SLP, but it wasn't enough. If the SLP and teacher can also get parents involved, they will have an even greater impact on the child's abilities**.** C. We are moving toward universal preschool, so if you suggest that perhaps some children stay home with their grandparents, they may not be exposed to a rich learning environment. The problem in Hawaii is a shortage of inclusive preschool options, but there seems to be a consensus that having preschool exposure better prepares children for later academic success. A. I agree with universal preschool. For the immediate term, we are trying to do something for children who have only 2-3 hours of speech/language services in their IEP, so if they are not in a preschool classroom, we would like to do parent/provider information and training to enlist their support.C. SEAC has one infographic on encouraging parents to assist their child in learning to read, and we could come up with more sophisticated family-friendly materials to cover Story Grammar. A. Annie suggested that I talk with SEAC about this, and we would like to talk more about enlisting your assistance.Q. Do you have any programs or data for students with disabilities 8 years old and above? A. Verna is working closely with the program specialist working with 8+ children. An important issue is that many teachers understand de-coding, but they struggle with kids who have comprehension difficulties. That's where we have to get back to language foundation. Children need opportunities to discuss orally what |

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| **Preschool Transitions and Supports During COVID-19 (cont.)**  | they know, and pull out words that will help them understand what they are reading. It goes back to knowing these kids and their needs very well, so that we can be targeted and intentional. C. (Martha) The early intervention staff were unavailable to present today, but are happy to take questions about Part C services and transitions during COVID-19. |
| **Announcements** | Susan R. informed members of SEAC testimony to the Board of Education regarding managing the budget crisis facing the Department in the next biennium. SEAC made the point that research after the Great Recession showed that cutting instruction and qualified teaching positions had a disproportionate effect on vulnerable students, especially students with disabilities, that was long lasting and harmful, not only to the student, but to the overall economy. Susan invited future input on testimony and stated that SEAC may be involved in reaching out to other parents and community members to protect the special education budget. Mark Disher suggested adding the impact of potential furloughs and layoffs that could be costly to the state--litigation over the anticipated loss of IEP services backed up by existing case law such as *N.D. vs. the Hawaii Department of Education*, a 2010 9th Circuit decision finding that furloughs could be "a material failure to implement the IEP."C.J. Rice gave an update on students with disabilities receiving their instruction on a school campus. Because the data is self-reported and not verified, SEAC will not be reflecting the actual numbers in its minutes. However, it can be characterized as roughly a fourth of special education students are on campus every day and a little more than 1/2 are attending via blended or hybrid instructional models. C.J. also pointed out that the BOE Matrix is now posted on the Department's website with data regarding vulnerable students. |
| **Review of the Minutes for the November 13, 2020 Meeting** | Martha commented that the minutes are quite lengthy due to our new practice of recording meetings and trying to capture all discussions. Susan Wood offered some typographical corrections prior to the meeting and Lisa Vegas corrected the spelling of Monica Fatu's last name.**Action: The minutes were approved as corrected.** |
| **Agenda Setting for the January 8, 2021 Meeting** | Members suggested the following topics for consideration on the January meeting agenda:* Update on APR Indicators 9, 10, and 13 by the MAC team
* COVID Update About Services and Instructional Models by Annie Kalama
* Preschool Transitions
	+ Evaluation Process - are kids in a holding pattern?
* Secondary Transitions and Supports
	+ Recouping time lost for supports
	+ Guidance to IEP Teams from ESB
	+ When are IEP Teams addressing transition supports (throughout high school?)
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| **Agenda Setting for the January 8, 2021 Meeting (cont.)** | * COVID Impact Services Update
	+ Where are kids not receiving services?
	+ How is regression measured and by whom?
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| **Infographics Review** | The **IEP Team Members** Work Group and the **Parents as Partners** Work Group asked to be put on the January agenda for 2nd vetting.**What's in a Name?** - 2nd vettingDavid Royer and Amanda Kaahanui pointed out their revisions to the main female graphic, making her look more like an educator from Hawaii. The team decided to leave the numbering as is to identify the paraprofessional first and the supervisory staff second. One suggestion from members was to consider including an explanation of the term "adult staff" in the Dialogue Guide, because many schools are listing the support person by this generic term, and suggest to families that they ask for a clarification of what that means.**Action: The infographic was approved by the full Council.** **Certificate vs. Diploma -** 1st vettingLisa Vegas and Andrea Alexander explained the two infographics they created to help clarify the differences between these two high school paths and help start a discussion. The first infographic is a side-by-side comparison laying out basic information regarding both commonalities and differences. The second infographic is a Venn diagram showing where some of the features are shared in common. They adjusted the language to say student-centered decision, so that it is not just the IEP team or someone external to student. The work group members emphasized the importance of understanding the implications of one versus another early, so that the student can plan for coursework and activities. Some students who chose the diploma track may need more than four years to obtain the 24 credits. Comments from members and guests included:* appreciation for the documents, which will be beneficial to teachers as well as students and their families;
* making the two infographics into a two-sided document;
* offering information to families when students are found eligible for special education, rather than waiting until middle or high school;
* concern that not all schools support a 5-6 years diploma tract option as stated in the Venn diagram.
* discuss pressure that is often placed on families to choose the certificate option, even when they want their child to have more academics.

**Action: The work group will come back to the group for more discussion and C.J. offered her help in vetting the infographics.**  |