

Special Education Advisory Council ANNUAL REPORT

Relating to SEAC Activities July 1, 2020 to June 30, 2021

Revised August 19, 2021





Message from the Chair

This year will be known as the year of Zoom. Because of the COVID pandemic we haven't seen each other face to face all year. But we still managed to get things done!

SEAC participated in workgroups on the Alternate Assessment, providing greater understanding in the assessment provided to 10% of special education students. Our suggestions were welcomed and some of them were incorporated. We are hopeful all this work will lead toward better educational equity for all students with disabilities.



Cara Tanimura and her team from the Monitoring and Compliance (MAC) Branch briefed members on the changes to the State Performance Plan (SPP)/Annual Performance Report (APR) for FFY 2020-25. The new focus on Results Driven Accountability allowed MAC to better involve SEAC and other key stakeholders in data analysis, target/baseline setting, improvement strategies and assessing progress which we appreciate.

As we do each year, we attended as many meetings as we could, this time via zoom, with legislators and the Board of Education and submitted testimony on bills that addressed our concerns regarding budget and educational issues.

Members reviewed infographics and gave final approval on topics important to families and teachers this year. We vet these for accuracy and ease of understanding. Nine of them that made it through the process are posted on our webpage https://seac-hawaii.org/infographics/>.

SEAC has many people to thank for helping SEAC stay on track with our priorities this year. First is Annie Kalama, Director of the Exceptional Support Branch, for her exceptional support in providing us updates to the many requests of our membership. Much mahalo go out also to Heidi Armstrong, Assistant Superintendent, Brian Hallett, Chief Financial Officer, Cara Tanimura, Monitoring and Compliance (MAC) Branch as mentioned before. My biggest thanks go out to Susan Rocco and Amanda Kaahanui of SPIN for their outstanding support to SEAC and myself. We truly couldn't have done it without you.

SEAC gives thanks to Christina Kishimoto for her service as Superintendent. We recognize the difficult tenure she experienced due to the pandemic. It is always hard to please everyone, but I felt we experienced support from her and her team, and we appreciate her open ear.

Finally, my thanks to all the members of the Special Education Advisory Council for their hard work - attending meetings via zoom, working on infographics and most of all providing advocacy. I am very honored that the Council supports me for another year as their chair.

We hope that special education stakeholders find the information in this report of interest and value. SEAC always welcomes your feedback.

Martha M. Guinan

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Purpose

SEAC shall provide policy guidance with respect to special education and related services for children with disabilities in the State. (**IDEA**, CFR 300.167)

Vision

SEAC believes in optimizing the educational achievement of every child through a strong public education system that is proactive and supportive of students, families and educators. To that end SEAC will use its strength as a broad based constituency group to play an active and influential role in decisions affecting policies, programs and services.

Mission

The mission of SEAC is to guide and assist the Hawaii Department of Education in fulfilling its responsibility to meet the individual needs of children with disabilities.





20-21 Hawaii IDEA Student Data Looking Through the Lens of the Pandemic and the Return to Learn Metric Data

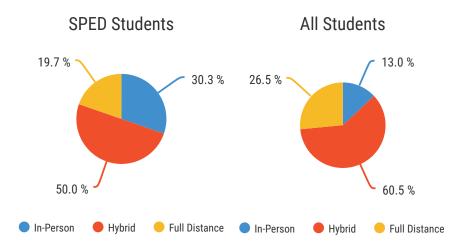
Special education enrollment did not change appreciably during the pandemic. By contrast, enrollment in general education dropped at the beginning of the 2020-2021 School Year compared to the previous year.



While there were almost 5,000 fewer general education students enrolled in public school at the beginning the SY 20-21 compared to the year before (with Kindergarten students representing the largest drop in enrollment), special education enrollment remained basically stable.

Source: 618 Child Count Data Table (collected in 12/19 & 12/20) HIDOE Enrollment Data for SY 19-20 and SY 20-21

More students with IEPs received their instruction through a hybrid model (a combination of in-person learning and off campus learning). Full distance learning was the least utilized instructional mode.



Compared to all students, students with disabilities were more than twice as likely to receive their support in-person on a daily basis. Schools determined which modes to offer and set priorities for certain student subgroups, so student choice was not always a factor.

Source: State Plan for ESSER III, Table on Student Enrollment in Each Mode of instruction by High-Risk Attendance Note: This data source does not include data on charter school students.

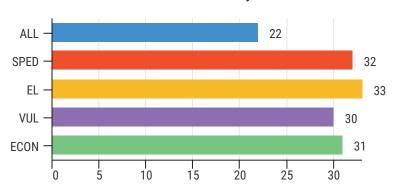


20-21 Hawaii IDEA Student Data Looking Through the Lens of the Pandemic and the Return to Learn Metric Data

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All of the high-need subgroups, including special education, contained a larger percentage of students who were chronically absent (defined as absent 15 or more days per school year, compared to all students combined.



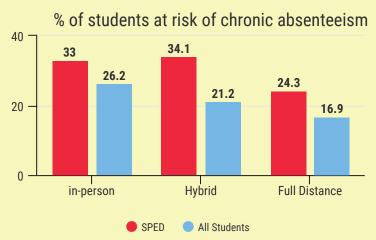


A high priority was placed on meeting the needs of vulnerable students (VUL) defined as students with special needs, English learners, students without access to devices or connectivity and socioeconomically disadvantaged students.

Source: HIDOE Return to Learn Metric 7 (as of 5/28/21) Note: This data source does not include data on charter school students.

4

Special education (SPED) students who attended hybrid instructional sessions held a slightly higher risk of chronic absenteeism over in-person learners, while SPED students in distance learning were at the lowest risk for absences.



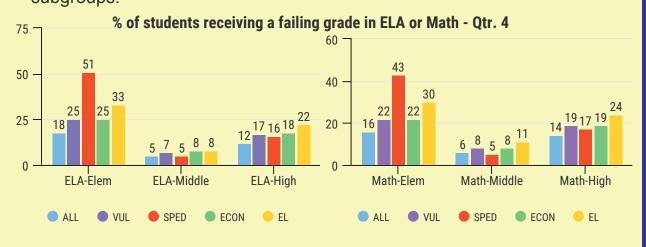
By contrast, students without disabilities whose instruction was provided largely on campus, had the highest risk of chronic absenteeism. The lower relative risk of being absent for full distance learners may be related to flexible instructional hours.

Source: State Plan for ESSER III, Table on Student Enrollment in Each Mode of instruction by High-Risk Attendance
Note: This data source does not include data on charter school students.



20-21 Hawaii IDEA Student Data Looking Through the Lens of the Pandemic and the Return to Learn Metric Data

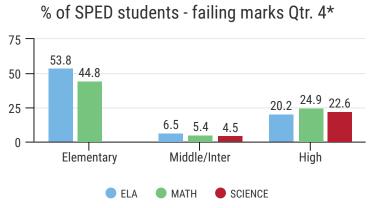
While elementary-aged students receiving special education (SPED) 5 appeared to be the most academically vulnerable to school closures and disruptions to learning in SY 20-21, SPED students in middle and high school fared surprisingly better academically than other high-needs subgroups.



Source: Qtr. 4 HIDOE Return to Learn Metrics 4. 5 and 6. Note: This data does not include charter school students.

6

Special education middle/intermediate school students appeared much less at risk academically due to the disruptions to learning caused by the pandemic compared to other grades. It would be important to uncover the factors related to their relative resilience.



^{*} This comparison excluded students for whom no marks were recorded.

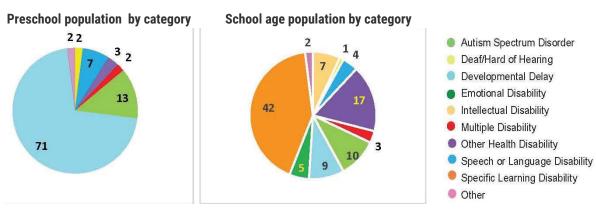
The representation in Box 5 was based on a comparison of students who received one or more failing grades to a combination of students who received no failing grades plus students for whom no grade was recorded. When SEAC compared SPED students with recorded grades only, the percentage of SPED students at risk of failing Math and ELA grew larger.

Source: Qtr. 4 HIDOE Return to Learn Metrics 4, 5 and 6. Note: This data does not include charter school students.



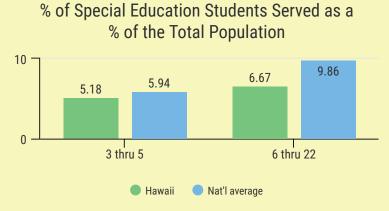
Hawaii's Special Education Demographic Data and Data Trends

The charts below represent the eligibility categories under IDEA and how Hawaii's preschool and school age population are categorized. We differ from the Mainland averages in several areas: more Hawaii preschool children are found eligible under the category of developmental delay and fewer are counted under speech or language delays for both preschool and school-age populations.



Source: IDEA Section 618 Child Count Data, 2020

In Hawaii, the percentage of children aged 6 through 21 that are found eligible for special education tends to be about 3 percentage points lower than the national average. The 6.67% of school aged students receiving special education in Hawaii in SY 19-20 was the lowest percentage of all other states raising the possibility that Hawaii is under-identifying students in need of special education.



The chart at the left measured how many students are receiving special education as a percentage of all children in that age range in the state (not just those in public school). Hawaii's preschool percentage has grown in the last several years, while the school age percentage has been static.

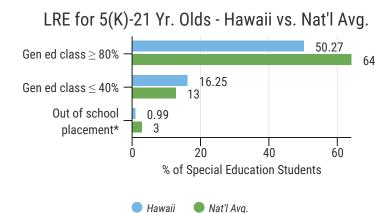
Source: IDEA Section 618 Data Products: Static Tables 10 & 11, SY 19-20



Hawaii's Special Education Demographic Data and Data Trends

3

More students with disabilities are receiving their instruction and supports in the general education classroom for the majority of the school day in SY 20-21 than in any other year thanks in part to the Hui Pu initiative. While Hawaii still falls behind the national average of about 2/3 of SPED students spending 80% or more of the day in general education, there is growing momentum and confidence to offer inclusive placements.

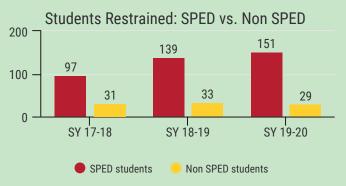


At the same time, the percentage of students served in primarily in self-contained classrooms is slowly moving toward a national average of 13%. *Hawaii surpasses most states in one aspect of least restrictive environment (LRE) by having one of the lowest rates of students who receive special education services in separate schools, residential facilities or homebound/hospital placements.

Source: IDEA Part B 2020 Child Count and Educational Environments

4

Restraint data has recently been made available on the HIDOE website. It shows a trend of special education students making up the vast majority of students who are physically restrained in any particular year. 83.8% of the 151 students who were restrained in SY 19-20 were students with IEPs. In a comparable table (not shown) of individual instances of restraints recorded in a school year, 421 of 479 restraints in SY 19-20 involved SPED students, indicating that a number of students are restrained more than once in a year.



Hawaii's rate is similar to the national average compiled by the Office for Civil Rights (OCR) where 80% of the students restrained or secluded in SY 17-18 were IDEA students. Disability advocates helped to pass a law in Hawaii in 2015 that bans the seclusion of students as well as chemical and mechanical restraints.

Source: HIDOE Discipline and Restraints Reports and 2017-18 Civil Rights Data Collection



Hawaii's Special Education Demographic Data and Data Trends

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Students with disabilities are traditionally suspended at a rate that is 2-3 times higher than for that of all students combined. In SY 2019-20--the latest year that discipline data is available--the percentage of students with IEPs who received a suspension of any kind was 7.1% compared to 3.06% of students without IEPs.

	Total Student Population in SY 19-20	# of Students Suspended in SY 19-20	% of Total Population Suspended
SPED Students	20,125	1434	7.12%
Non- SPED Students	161,370	4945	3.06%

Given that students were not in school during Quarter 4 of SY 19-20, the overall number of suspensions was lower than in the previous two years. SEAC is concerned about all suspensions, even those involving a day or two, as research links suspensions of any length with a risk of poor academic and postsecondary outcomes.

Source: IDEA Section 618 Discipline Data, 2019-20 & Infinite Campus Data on Non-SPED Suspensions, 2019-20 Note: This graph was revised on August 19, 2021 after additional discipline data was obtained from HIDOE.

Discipline statistics for SY 19-20 show male students with IEPs are much likelier to be suspended than female students.

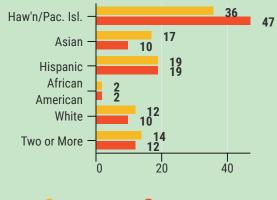
> % of Suspensions by **Gender - SY 19-20**





Source: IDEA Section 618 Discipline Data, 2019-20

In SY 19-20 Hawaiian/Pacific Islander students made up about a third (36%) of the special education population but almost half (47%) of the special education students that were suspended that year.



% in Population Source: IDEA 618 Child Count & Discipline Data, 2019-20

% Suspensions



Functions of SEAC

- Advise the Department of Education of unmet needs within the State in the education of children with disabilities. CFR 300.169(a)
- 2. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities. CFR 300.169(b)
- Advise the Department of Education in developing evaluations and reporting on data to the Secretary of Education, U.S. Department of Education, under Section 618 of the Individuals with Disabilities Education Act. CFR 300.169(c)
- 4. Advise the Department of Education in developing corrective action plans to address findings identified in federal monitoring reports. CFR 300.169(d)
- 5. Advise the Department of Education in developing and implementing policies relating to the coordination of services for children with disabilities. CFR 300.169(e)
- Monitor the implementation of activities and timetable pursuant to consent decrees or court orders regarding the education of children with disabilities. (IDEA 90 regulation maintained by SEAC because of the Felix Consent Decree).
- Advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons. (IDEA 97 regulation maintained by SEAC with representation by the Department of Public Safety).
- 8. Review Hawaii special education due process hearing decisions and findings. CFR 300.513(d)1
- 9. Review and comment with regards to the Department's federal and state budgets for special education.

SEAC Membership



SEAC members in a discussion via Zoom

SEAC is made up of a diverse group of individuals with expertise in a variety of aspects affecting special education and related issues. Persons with disabilities and parents of children with disabilities comprise a majority of the membership. Members are appointed by the Superintendent and serve without compensation for three-year terms. A roster of SEAC members for School Year 2020-21 can be found on page 14.

Recommendations to the Superintendent

One of SEAC's most important duties is to advise the Department of the unmet needs of students with disabilities and formulate recommendations to address these needs. Many suggestions were discussed and acted upon during the school year. The following recommendations are offered as a means to enhance program options for students and communication with stakeholders.



Keith Hayashi

DISTANCE LEARNING

Issue: During the 20-21 school year, more than 3,000 students with IEPs received their instruction through total distance learning, while nearly three times as many students experienced distance learning several days a week as part of a hybrid instructional model. A portion of these students performed better through distance learning than through in-person learning. Benefits of distance learning include: 1) the ability to select the most convenient and preferred time of learning; 2) the ability to select the pace of learning; 3) reduced anxiety for students with social and emotional issues related to attending school in-person; 4) the ability to revisit material whenever they happen to forget something and the ability to re-take quizzes and tests; and 5) better attendance for students who face barriers related to health, transportation or caring for family members at home.

Parents who wish to maintain this instructional modality for their child because of its positive impact on learning or because they want to have their child learn from home due to health and safety concerns are being told that there will be no guarantee of distance learning for the next school year. Each school will decide independently whether to offer distance learning to its students. If a school decides not to offer distance learning, and the parent is reluctant to send the student for in-person learning, parents are being advised to seek a Geographic Exception to a school offering a distance learning option or home school their children.

Recommendation: Given that this modality may the most appropriate way to provide FAPE to a number of students with disabilities, it should not be left to chance as to whether a particular school is willing or able to offer this instructional mode. Rather, the complex area or the state should offer access to quality distance learning to students who need that option to benefit from their education and provide appropriate supports and supervision.

COMMUNICATION VIA THE HIDOE WEBSITE

Issue: SEAC holds the strong belief that all special education stakeholders benefit from receiving the same information at the same time, and in particular, all members of the IEP team should have access to the same information. When the COVID-19 pandemic forced schools to close in order to guarantee the safety of both students and staff, there was understandably a delay in getting clear guidance out to the field and to the parents of students with disabilities given the unpredictability of the virus and Hawaii's shifting public health response.

Once the 20-21 school year commenced, SEAC saw a major effort on the part of the Exceptional Support Branch to provide infographics for families related to re-opening at the same time schools were receiving guidance via memos and training modules. These infographics were listed on the HIDOE website and disseminated through schools to individual families. Despite this good faith effort to inform families and school staff simultaneously, SEAC noticed that many of the links on the HIDOE website related to COVID-19 the Return to Learn



Recommendations to the Superintendent (cont.)

COMMUNICATION VIA THE HIDOE WEBSITE (cont.)

initiative were accessible only to individuals within the Department of Education. In some situations, this denial of access to families and community groups resulted in the uneven distribution of important information that could broaden the knowledge and expectations of all interested stakeholders.

Recommendation: Make information posted on the HIDOE website accessible to anyone seeking information with active links to documents. Memos and guidance designed for the field are also useful for families and other non-DOE stakeholders, because they convey relevant information and timelines and help to ensure accountability.

Major Areas of Focus for School Year 20-21

GOAL SETTING FOR THE YEAR

Traditionally, SEAC members spend the first meeting of the school year prioritizing issues to examine, alloting time on the schedule for group discussion and problem-solving. Given the impact of the pandemic on learning loss, the group selected COVID-19 Impact Services as its number one priority. COVID-19 Impact Services were defined as temporary and high impact specially designed instruction or related services delivered beyond the school day to make up for student skill loss(es). Other areas of focus in order of priority were processes in general supervision (like monitoring and professional development), scaling up evidencebased practices to make them available to more students, and examining the critieria used to determine if students with disabilities are entitled to Extended School Year (ESY) services.

PRIORITY ONE COVID-19 Impact Services PRIORITY TWO General Supervision (SPP/APR, PD, etc.) PRIORITY THREE Scaling up EvidenceBased Practices (EBP) PRIORITY FOUR Extended School Year Services (ESY)

VETTING OF RE-OPENING INFOGRAPHICS

SEAC joined with representatives from the DD Council and the Leadership in Disabilities and Achievement of Hawaii in helping to ensure the readability of a series of seven infographics for parents developed by the Special Parent Information Network in partnership with the Hawaii Department of Education. The infographics described key requirements for supporting students with disabilities upon returning to school in Fall 2020.



https://spinhawaii.org/infographics/school-reopening-infographics/

Major Areas of Focus for School Year 20-21

INFOGRAPHIC WORK GROUPS

SEAC has embraced the practice of creating its own infographics so that others gain enough understanding of a complex issue to be able to enter into conversation. Four infographics cocreated by members and HIDOE representatives were vetted by the Council during the school year for distribution to interested stakeholders:



What's in a Name? 6 Student Support Staff Positions in Hawai'i

This infographic aims to help parents be more knowledgeable about support staff who, in addition to their child's teacher, may be assigned to assist their child with academic, behavioral and self-help needs. It also clarifies which individuals are licensed to supervise paraprofessional staff implementing behavior intervention plans (BIPs).



Are You Concered About Your Child's Behavior?

Families who have children with disabilities who have behaviors at home or at school that are getting in the way of learning are guided to a process to bring their concerns to the school, if not yet eligible for special education, or to their child's IEP or 504 team. The infographic also offers information on what assessments and services may be provided and how to monitor progress.



IEP Team Members

This infographic is targeted for families to help them understand who makes up the core members of the IEP Team, as required under IDEA, and what other role groups might be in attendance. The design of the infographic imparts the message that the student and his or her parents are at the heart of all decision-making and goals for future success.



Partnership Using the 5 "C"s

Parent-school partnerships help to maximize the educational benefit to the student with disabilities and develop trust and respect among IEP team members. Using the five "c"s—communication, consideration, collaboration, creativity, and confidence—this infographic provides tips to both families and DOE staff and providers.

(To access these infographics go to https://seac-hawaii.org/infographics/).

ANNUAL PERFORMANCE REPORT (APR) REVIEW AND TARGET SETTING

One of SEAC's ongoing duties is to assist the Monitoring and Compliance Branch and the Exceptional Support Branch in reviewing data for the The Annual Performance Report (APR) indicators, including the State Systemic Improvement Plan (SSIP), and in setting future targets for performance indicators. In August, SEAC members examined determination of the Office of Special Education Programs (OSEP) determination on how well Hawaii met key



Major Areas of Focus for School Year 20-21 (cont.)

ANNUAL PERFORMANCE REPORT (APR) REVIEW AND TARGET SETTING (cont.)

compliance provisions of IDEA and provided students with disabilities appropriate supports resulting in positive academic performance. SEAC provided input on the submission of Hawaii's APR for SY 19-20 and began the process of target setting new metrics for SY 20-21 and beyond. (To view the APR go to the HIDOE special education web pages).



What Do Parents Know about COVID Impact

Services and Plans: A survey of parents of children receiving special education service

Conducted by:

COVID-19 IMPACT SERVICES

In Hawaii, services *beyond the school day* to address student learning losses resulting from interruptions to learning during the pandemic are called COVID-19 Impact Services. Guidance to schools as they reopened for the SY 20-21 was to hold IEP meetings for all students within the 1st Quarter to assess the impact of COVID-19 and determine if additional services were needed. SEAC received regular updates of COVID-Impact meetings and the number of students receiving COVID- 19 Impact Services. By the end of the 3rd Quarter SEAC was

concerned about the timeliness of services and joined with the Coalition for Children with Disabilities to solicit input directly from parents to share with the Department.

(To review the results of the survey go to:https://seac-hawaii.org/wp-content/uploads/2021/06/Learning-Loss-Survey-Results1.pdf).

INTERACTING WITH THE HAWAII STATE BOARD OF EDUCATION

Virtual meetings took on added significance during the pandemic as the Board sought to provide guidance to the Department in how best to address school safety, budget crises, instructional options, and access to technology and bandwidth, as well as priorities for federal relief spending. SEAC's numerous testimonies supported prioritizing



financial support of special education services, including maintaining the pay differential for special education teachers, ensuring that Return to Learn metric data be broken down by subgroup (including special education), and offering distance learning options to those special education students who need that modality to ensure their access to a free and appropropriate public education. (SEAC's Board testimonies can be viewed at http://seac-hawaii.org/board-of-education-testimony/).

TESTIFYING AT THE STATE LEGISLATURE

Some of the positive outcomes of legislation supported by SEAC this session included maintaining current spending levels for special education services, training stipends for early childhood educators, computer science coursework at the middle and high

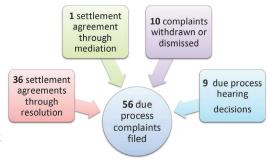


schools,and eligibility for the UH Scholars scholarship program for special education students who maintain a 3.0 grade point average. On a disappointing note, despite a third year of partnering with the UH Special Education Department to amend the ABA licensure statute, S.B. 805 failed to advance. It aimed to establish a permanent exemption from behavior anayst licensing requirements for classroom teachers who implement behavior intervention plans and allow teachers with a certification in severe, profound and autism to perform Functional Behavior Assessments within the scope of their professional duties.

Major Areas of Focus for School Year 20-21 (cont.)

DUE PROCESS REVIEW

Congress has directed SEAC and other State Advisory Panels to review special education due process complaints on an annual basis. SEAC committed in 2003 to not only review due process hearing requests and decisions, plus mediations and written complaints, but to also analyze Hawaii's due process activity compared to past years and to other states. In June, SEAC examined the hearing requests filed in SY 19-20 in order to get a more complete picture of how



those requests resolved over time. The chart at the left shows that 56 hearing requests were filed that year, 30 involving requests for the Department to reimburse the parent for private placements or related services due to the parent's contention that their child had been denied a free and appropriate public education. Most requests were settled prior to a hearing and only 9 were brought before a hearing officer for a formal decision. While Hawaii's utilization of due process hearing requests is on par with the national average, the use of written complaints and mediation to resolve local conflicts is significantly lower.

EXTENDED SCHOOL YEAR (ESY) SERVICES

SEAC members prioritized a discussion of ESY over concern that IEP teams are utilizing only two main criteria--recoupment and retention--to determine eligibility for these individualized student supports. In



addition to narrow eligibility criteria, members discussed staffing issues, using predictive vs. historical data to justify the need for ESY, and the scarcity of inclusive ESY options. SEAC agreed to partner with the Department of Education in reviewing upcoming guidance for ESY and the creation of a family-friendly infographic.

Tentative Meeting Schedule for SY 21-22

Meetings are currently being held virtually using a Zoom platform. Hours are 9:00 a.m. to noon. The tentative schedule of meeting dates is as follows:

August 13, 2021 September 10, 2021 October 8, 2021 November 12, 2021 December 10, 2021 January 14, 2022 February 11, 2022 March 11, 2022 April 8, 2022 May 13, 2022

Meetings are open to the public and each meeting agenda includes time for input from the public. Individuals may present their input in writing by mail, fax or email or by speaking to members at the meetings. (Agendas, meeting schedules, minutes and other SEAC reports can be found online at http://seac-hawaii.org).



SEAC Member Roster - SY 20-21

Ms. Martha Guinan, Chair Ms. Susan Wood, Vice Chair Person with a Disability Community Representative

Ms. Andrea Alexander

Ms. Sara Alimoot

Ms. Brende Ancheta

Ms. Virginia Beringer

Ms. Mary Brogan

Ms. Deborah Cheeseman

Ms. Rebecca Choi

Ms. Annette Cooper

Mr. Mark Disher

Dr. Kurt Humphrey

Dr. Scott Hashimoto

Ms. Tina King

Ms. Bernadette Lane

Ms. Sarah Man

Ms. Dale Matsuura

Ms. Cheryl Matthews

Ms. Kaili Murbach

Ms. Kiele Pennington

Ms. Carrie Pisciotto

Ms. Kau'i Rezentes

Ms. Rosie Rowe

Dr. David Royer

Ms. Ivlaee Sinclair

Mr. James Street

Mr. Francis Taele

Wil. I Tariolo Tacic

Mr. Steven Vannatta

Ms. Lisa Vegas

Ms. Paula Whitaker

Ms. Jasmine Williams

Ms. Susan Wood

Ms. Annie Kalama

Dr. Robert Campbell

Parent, Leeward District

DOE Homeless Children Representative

Parent, Kauai District

Parent, Windward District

Developmental Disabilities Division (DDD) Representative

Student Services Coordinator/Special Education Teacher

DDD Representative (Designee)

Parent, Central District

Parent, Hawaii District/Charter School Representative

Child & Adolescent Mental Health Division (CAMHD) Representative

CAMHD Representative (Designee)

Parent, Military Family Representative

Child Welfare Branch (DHS) Representative

Parent, Honolulu Representative

Student Services Coordinator/Special Education Teacher

Division of Vocational Rehabilitation Representative

Parent, Maui District

Parent, Leeward District

Early Intervention Section (DOH) Representative

Parent, Leeward District

Hawai'i & Pacific Island Parent Training & Information Center Representative

University of Hawaii College of Education Representative

Person with a Disability

Private School Representative

Adult Corrections/Department of Public Safety Representative

Community Representative

Youth Corrections Agency Representative/Olomana School

Parent, Early Intervention Program Administrator

Person with a Disability

Community Representative

Special Education Director, Liaison to the Superintendent Liaison to the Military

Contact Information for SEAC

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