

SPECIAL EDUCATION ADVISORY COUNCIL

Draft Minutes – February 11, 2022

9:00 a.m. – 12:00 p.m.

PRESENT: Virginia Beringer, Mark Disher, Martha Guinan, Scott Hashimoto, Melissa Johnson, Amanda Kaahanui (staff), Annie Kalama (liaison to the Superintendent), Tina King, Jennifer Leoiki-Drino, Paul Meng, Wendy Nakasone-Kalani (liaison to military families) Kiele Pennington, Carrie Pisciotto, Kau’i Rezentes, Susan Rocco (staff), Rosie Rowe, Steven Vannatta, Lisa Vegas, Jasmine Williams, Susan Wood, Earl Young (for Mary Brogan)

EXCUSED: Annette Cooper, Dale Matsuura, Cheryl Matthews, Ivalee Sinclair

ABSENT: Sara Alimoot, Debbie Cheeseman, Shana Cruz, Kerry Iwashita, Mai Hall, Melissa Harper Osai, Paula Whitaker

GUESTS: Jody Agpalsa, Heidi Armstrong, Will Carson, Heather Chapman, Jonathan Chee, Patty Dong, Jessica Honbo, Sandra Jessmon, Alex Kagawa, Ken Kakesato, Janel Kamaele, Wimmie Wong Lui, Charlene Robles, Roxanne Rokero, Randy Scoville, Che Silvert, Jade Takahiro

TOPIC	DISCUSSION/ACTION
Call to Order/ Welcome/ Introductions	Martha opened the meeting at 9:05 a.m. and wished those present a Happy Valentine’s Day. Roll call was taken and guests introduced themselves.
Input from the Public	<p><u>Loss of education due to COVID quarantine</u> A grandparent reported that her granddaughter with learning disabilities was sent home 3 or 4 weeks in a row due to close contact with a positive case. The grandmother was given different information from the school’s two vice principals on guidelines about when and how her granddaughter could return to school. The guidance <i>recommended</i> a COVID test on Day 5 but <i>required</i> a negative test result in order to return to school. Martha pointed out that the guidance was discussed at SEAC’s January meeting and the document could be reviewed on the SEAC website. Annie Kalama agreed that the guidance is the same as that linked in the January meeting minutes. As for the grandmother’s main concern about how her granddaughters lost educational opportunities would be made up, Annie said the guidance to the field is to do progress monitoring at least every quarter to look for learning loss, lack of progress or new needs. She offered to chat outside the meeting about any other concerns.</p> <p><u>Access to Pre-ETS</u> Jasmine Williams asked for clarification regarding the Pre-employment Transition Services (Pre-ETS) mentioned in Cheryl Matthews’ January presentation. Her questions included the following: Is this only covered by DVR? If an IEP team feels pre-employment training is needed by a student, but he is on a DVR wait list, can it be provided through the IEP? Are these DVR services only for students on a non-diploma track? Martha suggested that Jasmine email Cheryl Matthews at DVR for the most accurate response. Amanda offered that her son with an IEP is on a diploma track and received pre-ETS services from a contracted provider. All students should be able to access services through the Workplace Innovation Opportunity Act (WIOA). Annie confirmed that if the services are part of a student’s transition plan, they must be provided, whether by DOE or by DVR.</p>

<p>Announcements</p>	<p>Martha made two announcements:</p> <ol style="list-style-type: none"> 1. Sadly Brian De Lima, former Board of Education member and frequent visitor to SEAC, passed away on the Big Island. We will be sending a note of condolence to the family. 2. Martha is representing special education on a stakeholder group advising the Board of Education on the search for a new Superintendent. Her brief update included news that Focus groups were held this weekend to identify traits and talents needed in a Hawaii Superintendent of public education, and several SEAC members participated. The Board is moving ahead quickly. <p>Amanda Kaahanui made the following announcements:</p> <ol style="list-style-type: none"> 1. The Annual Footsteps to Transition Fair was held on February 5th with a nice virtual turnout and great speakers. The first set of presentations by Dr. Rhonda Black and Cheryl Matthews have been posted at https://footstepstotransition.weebly.com. The remaining presentations will be posted as soon as they are captioned. Additional resources on the website include the CDS Transition Toolkit, the DOE Transition Guidelines and Hilopa’a’s transition workbooks for each island. 2. A member portal has been created on the SEAC website to facilitate access to materials needed by members. The password to access the portal was emailed to members previously. The portal also includes the password for the Venngage webpage.
<p>DOE Biennium Budget</p>	<p>Alex Kagawa, Budget Director of the Office of Fiscal Services discussed the following: <u>Budget briefing presentation to the Legislature on Jan 13th</u> A link to the budget briefing was shared with members. He focused on the Budget Request slides with 5 focus areas:</p> <ol style="list-style-type: none"> 1. Rebuild by restoring resources lost to the base budget during the pandemic - \$100.2 million 2. Restore stability by reverting position funding to permanent funding - \$11.1 million 3. Address shortfalls, - \$52.1 million 4. Advance education (new initiatives) - \$106.8 million, and 5. Housekeeping - \$0 <p>Existing shortfalls include the teacher pay differential, workman’s comp, IT, etc. Themes for advancing education include essential operations, student success, teacher/staff development, workforce development and other essential needs.</p> <p><u>Testimony Tables</u> Alex suggested focusing on Testimony Tables 4 & 6 on Capitol Website. For Table 4--Budget Decisions up to and including the Governor’s Decisions--he directed SEAC attend to the EDN 150</p>

<p>DOE Biennium Budget (cont.)</p>	<p><u>Testimony Tables (cont.)</u> (special education) pages 4, 5, 8, 10 and 11. For Table 6--Budget Additions-- the 5th column ties back to the 5 focus areas. The EDN 150 pages of importance are 22, 31, 46, 47, 65, 66, and 67.</p> <p><u>Budget Summary</u> Alex pointed out that of the \$270.3 million requested in the supplemental budget, \$163.4 million is for funds to restore monies that have been taken away previously. The remaining \$106.9 million contains \$78.3 million dollars in one-time funding by the Governor’s Office. There is also a \$4.3 million request for virtual schools and \$1 million to set up a separate School Facilities Agency. The remaining \$23.3 million for advancing education is about half of the HIDOE original request.</p> <p><u>Legislative activities</u> The two budget bills are HB 1600 and SB 2176. The Legislature will probably use HB 1600 as the main vehicle.</p> <p><u>Timeline for budget deliberations</u> The House will finalize its budget version in early March. Shortly after that the Council on Revenues will give its report on expected tax revenues. This is what the Senate will use to factor into their own Senate version in late March. Finally the two houses will conference in April to work out a final State budget.</p> <p><u>Alignment and Support</u> HIDOE is asking that SEAC and other entities focus on priorities 1, 2 and 3--making the budget whole again. These three priorities would form a solid foundation for any new initiatives (priority 4). HIDOE is watching the Maintenance of Effort attached to the ESSER funds. Whatever additional funds other state departments receive in general funds mean that a percentage (about 23%) will also come to HIDOE. It is really about focusing on rebuilding HIDOE’s foundation instead of spreading themselves thin by trying to implement too many new things all at once.</p> <p><u>Resources</u> Budget Website: https://www.hawaiipublicschools.org/ConnectWithUs/Organization/Budget/Pages/home.aspx Budget in Brief: https://budget.hawaii.gov/wp-content/uploads/2021/12/Budget-in-Brief-FY-23-BIB.Mn5_.pdf</p>
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<p>DOE Biennium Budget (cont.)</p>	<p>Resources (cont.) Governor’s State of the State Address: https://governor.hawaii.gov/main/state-of-the-state-address-2022/ Questions/comments from members and guests C. The only specificity SEAC is missing is regarding EDN 150 funds. In the first year of the biennium, our understanding was that you had made up most of the cuts imposed on EDN 150 funding. Was that only for SY 21-22? A. Yes. The budget worksheets specify that as MOFN--federal funds--which would only be for one year. We are asking that they give it back in general funds. C. SEAC’s testimony last year had to do with the importance of not cutting special education’s budget because of the Maintenance of Effort clause in IDEA. C. The legislators ask SEAC why does HIDOE need new money and what is it going to be funding. What is in the advancing education column? A. Take a look at the details in the testimony tables for EDN 150 for specifics. Q. Where does transportation fall and what is your ask? A. It’s under EDN 400. Some of the request is for focus area 2. Of the \$100.2 million cut to the budget in SY 20-21 that has carried over into the biennium, almost \$56 million was taken out of EDN 400. That budget covers food, bus transportation maintenance, and utilities. C. My main concern under transportation is ensuring that special education students are able to get to and from school.</p>
<p>Confidentiality Requirements</p>	<p>Annie introduced Jessica Honbo, an Information Specialist with the Office of Strategy, Innovation and Planning, to discuss confidentiality requirements, and Jonathan Chee with the Office of Information Technology to talk about security on HIDOE platforms. <u>FERPA Basics</u> The Family Educational Rights and Privacy Act (FERPA) protects the privacy of students’ education records. It applies to educational agencies and institutions that receive federal education funds. The law gives parents and eligible students (18) the right to:</p> <ul style="list-style-type: none"> • Access their children’s education record • Seek to have the records amended • Consent to the disclosure of personally identifiable information from education records, and, • File a complaint for FERPA violations. <p><u>FERPA exceptions</u> A school official with a legitimate education interest (the need to review a record to fulfill her professional responsibility) may access student information without prior written consent. Schools</p>

<p>Confidentiality Requirements (cont.)</p>	<p><u>FERPA exceptions (cont.)</u> must ensure that the official only obtains access to those records for which they have legitimate interests.</p> <p><u>Educational record</u> This is a record directly related to the student and maintained by HIDOE. Items that are not considered an educational record include sole possession records, personal observation, and peer-graded papers before they are collected and recorded by teacher.</p> <p><u>Parent resources</u> Every parent receives a Parent Notification Student Information Privacy booklet at least once a year. HIDOE also has a Student privacy website: bit.ly/FERPAHI.</p> <p><u>Employee Resources</u> These include 1) US DOE’s training at least every five years: FERPA 101 for Local Education Agencies. 2) BOE Policy 500-21 – Student Information & Confidential Records , 3) BOE Policies—Code of Conduct and Technology Guidance of Employees, and 4) Student Privacy Training provided to schools upon request.</p> <p><u>Communication Platform Security</u> Jonathan Chee explained that Gmail is encrypted by default when emails are sent out. If documents are stored in Google Drive, they are encrypted using an encryption standard (128-bit AES keys) by the National Security Agency. User drivers are only accessible to the owner; no administrator has access to an individual’s Google drive.</p> <p><u>Virtual Conferencing Platforms</u> HIDOE uses Webex and Google Meet for virtual conferencing and both encrypt all meeting communications and include security tools like meeting passwords and being able to remove participants who should not be there.</p> <p><u>Questions/comments from members and guests</u> Q. Since individual Google drives are cloud-based, how are they secured? A. They are encrypted in the cloud. What makes it more secure is that they write the data across more than one server. Even if someone were to compromise one server, it only has part of the document. Q. We often hear at the school level that when a parent wants to visit a new classroom to see if it would be suitable for their child, they are told that they cannot visit because of FERPA and HIPAA. But since FERPA is just about records, how can it be a reason to deny a visitation? A. There may be information on the screen or in the classroom, so it really depends on the setting. For example, by going into a fully contained classroom, it is relaying personally identifiable information, as it is</p>
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<p>Confidentiality Requirements (cont.)</p>	<p><u>Questions/comments from members and guests (cont.)</u></p> <p>reasonable to assume that if a kid is in FSC, they require a higher level of care. There could also be information like a student’s name, etc.</p> <p>C. I’m still having trouble understanding that explanation, because I’m not looking at anyone’s record. I can walk into any school and look at any child and think “that child may have a disability.”</p> <p>C. If that is the Department’s interpretation to limit observations in an FSC, the Department should put that in writing so parents can address the misinterpretation in court.</p> <p>C. In a classroom observation an assumption of a person’s disability is not a violation of FERPA. In fact, children are placed in an FSC because of the appropriateness to be educated along side special needs peers and limiting observations would limit a parent’s ability to participate in IEP development.</p> <p>Q. Is personally identifiable information the same as a confidential document? A. I can only speak to FERPA, so I’m not sure what you mean by a confidential document.</p> <p>Q. If a medical record comes to school, does it now become an educational record if the school gets a copy of that? A. It depends on the medical record itself. For example, a list of immunizations or a health record that all students are required to submit becomes an educational record once we get it. It is difficult for me to generalize, because FERPA is so dependent on the facts and circumstances surrounding the case.</p> <p>Q. What about a psychological assessment, or a doctor’s statement regarding the severity of a student’s asthma that the parent brings into an IEP meeting to discuss, and the school then makes a copy of that document? Does that then become an educational record? A. Again, it is difficult to generalize without knowing more about the document and the circumstances.</p> <p>C. If it is difficult for you, a specialist, it must be extra difficult for the school level people to know what documents they need to protect. A. Actually it is not, because they will have the document in front of them. I’m just talking in generalities.</p> <p>C. So here is a specific situation: a parent takes their child to a psychologist or a psychiatrist. A. I think what would be better for a personal situation is that we talk about it perhaps at a later date and time.</p> <p>C. No, I have been working with a number of parents over several years, and it’s a common thing to have a document like a psychological assessment brought into the school. A. I’m not talking about the psychological assessment or the papers; it’s really going to depend on the facts and circumstances and what it says.</p> <p>C. If you are a specialist in this area and can’t explain it, I am very, very concerned about school level people not understanding what to protect and not protect. A. I have every confidence that our employees understand what their duties are.</p>
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<p>Confidentiality Requirements (cont.)</p>	<p><u>Questions/comments from members and guests (cont.)</u></p> <p>C. No one has really explained the confidentiality requirements under IDEA.</p> <p>Q. Are the email addresses that most teachers use part of email and encrypted? A. (Jonathan) Yes. The domain name is just the organization you belong to, but our platform is on Google, so the meetings, the documents, the drive are all part of Google’s platform.</p> <p>Q. When an email from HIDOE has attachments, like IEP documents, are those documents automatically encrypted? A. If you’re talking about encrypting the documents, no, but what Google does is to encrypt the whole email, including the attachments.</p> <p>Q. If an email with attachments was sent to Person A and that person downloads the document, prints it or forwards it, is that allowable? A. Once it is sent to Person A, they can do whatever they need to do with it. There wouldn’t be any way for us to prevent it from being sent to another email address.</p> <p>C. My concern is that confidential records/evaluations/information are sent out by email as normal practice. How do you protect that information then? A. This information should only be shared with the most appropriate people. Any confidential document you have cannot be protected once it goes to another mailbox. The person who receives that private information should be trusted to keep it confidential.</p> <p>Q. Is there any protocol regarding who the email is sent to? Is that a FERPA thing or an IDEA confidentiality thing? What if the recipient is not a DOE employee but a contracted agency? Do you get the parent’s permission? A. (Jessica) For FERPA, school officials could be a contractor. The school makes their best judgment based on the information and resources available to them as to who the information will be shared with. The important thing is the educational interest--whether the individual needs the information to do their job.</p> <p>C. It would seem like an easy fix to have parent’s sign consent for release to contractors. This would give parents information about who has their child’s records and where that may be housed.</p> <p>Q. Does “access” mean getting a copy to hold on to vs. access to read and view a document but not have possession of it? A. It could be both. FERPA is very dependent on the facts of the individual case.</p> <p>Q. If the document is released to a contractor that stores a copy, is there a requirement for that Contractor’s agency to also comply with FERPA? A. Since HIDOE is the entity receiving the federal funds, it is responsible. A lot of times when we work with contractors, we’ll have an agreement to secure the confidentiality of students as a general practice.</p> <p>C. I had to request my child's records from a contracted provider; the school did not have all copies of the records.</p> <p>Q. Is it possible to get the presentation that Jessica provides to the teachers, because we need that</p>
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<p>Confidentiality Requirements (cont.)</p>	<p><u>Questions/comments from members and guests (cont.)</u> level of understanding. A. (AS Armstrong) Yes, and I think it would be helpful to put all these questions in a Q & A document. That would give us time to look at it and give scenario examples. C. As a parent, I have volunteered in a classroom where I've had access, but I have also had parents ask to observe and they were road-blocked. All I know about FERPA is from what I know about serving in the medical field. We have charts and sensitive information, but you don't deny the patient from coming into the waiting room. Our responsibility is to protect the patient record. A. (Jessica) When you volunteer in the classroom, that's a different hat than one of a parent; you may be considered a school official. C. (Martha) Jessica, we would like you to come back and give a presentation on what information you are sharing with teachers. A. (Annie) We'll work on that. I also want to let members know that we have guidance for when a parent is requesting an observation and will share it with SEAC. It's not a hard "no" when parents are asking. (AS Armstrong) If there is a list of questions, we will have the right people answer them in a Q & A document, providing some examples. C. I didn't hear anything about IDEA. In procedural safeguards notice, pages 7-10 have some specific IDEA regulations. I would like to know how the school implements these regulations that provide further protection than FERPA. Action: Members were advised to enter any remaining questions in the chat or by email to Susan or Amanda.</p>
<p>Report from the Post-Secondary Transition Workgroup</p>	<p>Roxanne Rokero introduced Dr. Heather Chapman. She is the new Educational Specialist in the Exceptional Support Branch working in the areas of post-secondary, residential placements and serving students who are incarcerated. Dr. Chapman comes from the University of Hawaii where she has taught coursework in the areas of applied behavior analysis, assessment and transition. She also has extensive experience working in mental health facilities and facilities for incarcerated youth. <u>Workgroup Overview</u> The workgroup was started in March 2021 and is made up of a variety of stakeholders and experts. Its mission is to identify and develop improvement strategies in the areas of: system infrastructure, inclusion and access to school supports, and community and family partnerships. It drives development of Hawaii's Plan to Improve Learning Experiences and Transition Outcomes for Students with Disabilities. <u>Workgroup goals</u> These goals include: 1. strengthening the student's transition program-- training on Indicators 13 and 14 and</p>

<p>Report from the Post-Secondary Transition Workgroup (cont.)</p>	<p><u>Workgroup goals (cont.)</u> training on student-led IEPs; 2. students with disabilities have equal access to transition supports/services available to other students-- working with other departments and agencies to collect data on how students are performing, and working on a PD development for inclusion models with peer tutoring; 3. improving parent/community partnerships to help our students transition successfully and achieve their post high school goals--creating a website for all to access information, offering more activities for parents and school staff to participate in together, and developing an annual in-person transition fair on each island.</p> <p><u>Celebrating accomplishments through the workgroup</u> Among these accomplishments are the following:</p> <ul style="list-style-type: none"> • Jobs Now Family Engagement Tool Kit • Certificate of Completion Guidelines and • Footsteps to Transition Fair. <p>More than 100 people signed up to attend the Fair presentations and there was a 100% satisfaction rate from the 30% of participants who turned in an evaluation.</p> <p><u>Achieving post-school outcomes</u> Heather reminded members of the relationship of indicators 13, 14, 1, 2 in achieving post-school student success. She also pointed out the connection between Indicator 13 (practices) and Indicator 14 (outcomes).</p> <p><u>Mahalo to workgroup members</u> Heather singled out individual team members for their significant contributions including Andrea Alexander of the Center on Disability Studies (JNP Family Engagement Toolkit), Amanda Kaahanui and her team for coordinating the Footsteps Fair, and Michele Arakawa for shepherding the work of developing guidelines for the Certificate of Completion and leading the group up to Heather’s arrival.</p> <p><u>Questions/comments from members and guests</u> C. If you ever do any training, it is important to have parent or student co-presenters. A. I agree. 100%. C. The presenters at Footsteps Fair were all great, so thank you for that.</p>
<p>COVID Update</p>	<p>Although the Department’s health and safety guidelines haven’t changed since last month, and members can check on the link to the DOE website for future updates. Annie offered some ESSER funding updates. They have started their Language and Literacy Initiative that is aligned to the State Systemic Improvement Plan (SSIP). Five complex areas have applied and been approved to participate in training teachers to coach in the classroom. Leadership and the Board of Education awarded about \$1.5 million for the initiative. ESB is also funding special projects using ARP supplemental IDEA funds for additional capacity building. The</p>

<p>COVID Update (cont.)</p>	<p>project proposals under review include five projects requested funding for Assistive technology, three for early literacy, nine for low incidence populations, three for post-secondary transition and five for advancing evidence based strategies around math instruction. The complexes are working hard to focus on what their students need. ESB is also working with UH on another agreement to train teachers in effective strategies in language and literacy, culminating in a special certificate that will expand expertise available to students.</p> <p><u>Questions/comments from members and guests</u></p> <p>C. While the focus on early literacy is great, because that’s how you build on success, but often we are ignoring students who have gotten past 3rd grade and struggling with reading. Q. Are there any initiatives, computer-based or otherwise, that would allow students to independently work on their literacy skills? A. Amy Ruhaak has offered a lot of resources to the field that include supplemental programs, online programs that could be used. While these programs cannot take the place of good instruction, they can make a positive difference in the student’s performance. While there is no statewide initiative in this area, this is something that a complex area could opt to do.</p>
<p>Legislative Update</p>	<p>Susan Rocco asked Che Silvert, the legislative liaison for the Hawaii State Council on Developmental Disabilities (DD Council) to begin the discussion of current legislation impacting students with disabilities and their families. She encouraged those members and guests who want to be alerted to hearings on these bills to email Che (Che.Silvert@doh.hawaii.gov) and request to be on his legislative list serve.</p> <p><u>Che’s Legislative Picks</u></p> <p>Che briefed members on bills that affect school-aged children either directly or indirectly (http://seac-hawaii.org/wp-content/uploads/2022/03/Report-to-SEAC-re-Legislation.docx). These bills are part of the 300 bills monitored by the Council out of a total of 4,000-5,000 introduced by the Legislature each year. Susan R. pointed out that SEAC has previously testified in support of newborn hearing and screening detection bills. She asked Amanda Kaahanui, who serves on a Newborn Hearing Committee to provide more information. Amanda said she worked for the Newborn Hearing Program a number of years ago, and the biggest obstacle to obtaining complete statewide data is that Tripler AMC and Kaiser don’t share the results of their newborn hearing screenings, because there is no law that requires it. This bill would ensure an accurate count of the number of deaf/hard of hearing infants in order to offer them services. No members objected to adding the newborn hearing screening bills to the SEAC list of legislation to support.</p> <p><u>Legislative Committee Picks</u></p> <p>Susan R. reminded members that SEAC’s positions on legislation are accomplished by consensus where possible and majority rule where it is not. She introduced a slate of priority bills that the Legislative Committee recommends for SEAC testimony this legislative session. Four of the bills involve positions previously decided upon by SEAC. The following bills were discussed in more detail:</p>

SB 805 – Relating to the Practice of Behavior Analysis

Susan explained that SB 805 is trying to correct an omission in the exemptions from ABA licensure. Currently teachers are not allowed to implement a behavior plan developed by a licensed provider—a restriction not commonly in effect elsewhere in the nation. SEAC also supports an exemption from ABA licensure for teachers who have received training in severe/profound disabilities and autism to conduct an FBA and design an intervention plan for a student. However, this second exemption has met resistance from the Hawaii Association of Behavior Analysts (HABA) and the teacher’s union (HSTA), so SEAC and the Department may emphasize the first exemption that is not considered controversial. This bill was already heard and passed the Senate committees last year, so it only needs to be heard and approved in three House committees to become law.

HB 2488 – Relating to IDEA (Part C Option for 3-5 year olds)

This bill requires the DOH to submit a request to allow parents of young children with disabilities who are eligible for IDEA preschool special education to continue receiving early intervention services after their child turns three until s/he enters Kindergarten. Susan asked the Early Intervention Section to provide their perspective on the bill, and Charlene Robles, Early Intervention Section Supervisor, made the following points:

- If a state opts to offer the choice of early intervention services to eligible children age 3 and older, it can choose from three choices for the length of extended services: 1) age three to the beginning of the school year, following the child’s 3rd birthday, 2) age three to the beginning of the school year, following the child’s 4th birthday, or 3) age three to the beginning of the school year, following the child’s 5th birthday.
- Current grant funding for Part C doesn’t cover these additional services;
- 4 states (out of 56 states/territories) are actually implementing a Part C Option;
- Future considerations, should this bill pass, include the design of the program, stakeholder engagement, personnel needed, and additional interagency understandings with the Department of Education and needed policies; and
- Funding is needed for planning, development, and sustaining the Part C Option; however there is no guarantee of federal funding.

Priority setting

Members used a Zoom poll to vote on the remaining bills by indicating those for which supportive testimony is warranted and those that should be monitored only (see [Poll results](#)). Poll results were not visible, so Susan offered to screen shot the results and send them out to members later in the day.

Questions/comments from members and guests

Q. Does SEAC intend to support all of the newborn hearing screening bills or just some of them?

	<p><u>Questions/comments from members and guests (cont.)</u> <u>Questions/comments from members and guests</u> A. (Susan R.) If the content is similar, then SEAC would testify on all the bills that receive a hearing. Q. Can you elaborate on what you mean by <i>support</i> vs. <i>monitor</i>? A. (Susan R.) In general, most bills are going to propose to do something. SEAC doesn't often provide testimony against a bill; rather we either write testimony in <i>support</i> of a bill, or stay silent and <i>monitor</i> how the bill fared through the legislative process. Q. Currently early intervention keiki move to the Department of Education at age 3. Does this Part C option mean you will extend early intervention services? A. (Charlene) Yes. One of the additional requirements for serving 3-5 year olds is to provide pre-literacy/school readiness services. Providers may need additional knowledge and skills. Q. If you were to pick up this option, would it be for some parents or all parents? A. (Charlene) Children would have to have received early intervention and be eligible for Part B to opt to extend or to choose DOE preschool. C. Right now an underlying goal held by many is for early childhood education is universal preschool, which looks different than early intervention. Also the Legislative Committee thought this might be an option for some families, but the majority of families would continue to opt for special education and related services. Q. Does the Department of Education have a position on this bill? A. (Annie) We are watching it and providing comments in addition to having conversations with the Early Intervention Section. C. For my family, having that extra time with Imua would have made all the difference in the world due their approach of working with the family. My son's transition at age 3 was not a good one given his development at the time. Having a Part C option may have prevented his trauma in the DOE system. C. (Martha) If anyone would like to testify virtually at a hearing, SEAC's Legislative Committee is available to help you.</p>
<p>Review of Minutes for January 14, 2022 Meeting</p>	<p>Members agreed to approve the general content of the minutes and make minor corrections to any typos. Action: The minutes were approved as corrected.</p>
<p>Agenda Setting for the March 11, 2022 Meeting</p>	<p>The following items were suggested by various members for inclusion in the March agenda:</p> <ul style="list-style-type: none"> • Infographic work, including vetting of draft documents • Legislative update (written or oral) • COVID updates (Annie's Corner) • Assistive Technology (AT) update

<p>Agenda Setting for the March 11, 2022 Meeting (cont.)</p>	<ul style="list-style-type: none"> • Follow-up conversation re: confidentiality <ul style="list-style-type: none"> ○ How IDEA procedural safeguards regarding confidentiality are implemented* ○ Parent observation policy ○ The content of teacher training re: confidentiality (per Jessica Honbo) • How/if the UH contract for distance learning materials (Project HOPE?) addresses the needs of special education students** • Supports or transitions for students who are expelled from private school and enter DOE *** • Access to services for home schooled students and transition supports back to DOE**** <p>* Susan R. will send out the section of the procedural safeguards notice dealing with confidentiality. ** Susan W. added that she was told by someone at her school that individual schools would not be offering distance learning options in SY 22-23. All distance learning will be organized at the state level. *** Jennifer Leoiki-Drino pointed out the pattern of students with special learning needs that are not met in private school developing behaviors over time that result in their expulsion. She believes these students are at a high risk for academic failure and would like to know what supports can be offered by DOE. **** Melissa Johnson asked if similar supports are available for students who were homeschooled during the pandemic and then transition back to campus. She also is seeking information on what IDEA services are offered to homeschooled students.</p>
<p>Infographic Work Groups</p>	<p>Martha began the discussion by asking if any infographics are ready for vetting by the entire membership.</p> <p><u>Extended School Year (ESY) Services</u></p> <p>Amanda reported that this infographic was created for a presentation at the October 2021 SPIN Conference. Group members include Annie, Martha, Rosie Rowe and Sandra Jessmon. Rosie added that ESY is often a bone of contention between families and schools, so creating the right dialogue guide would be important. She believes ESY is not being properly implemented at the school level. Rosie and LDAH staff do their best to create resources, dialogue and information for parents and others, but the execution in meetings is flawed, in part because parents and school staff have different levels of understanding of terminology and procedures. In some cases, parents are ahead of their IEP team members due to insufficient training on the school’s part. She believes strongly that training on the topic should include parent co-presenters.</p> <p><u>Additional input from members included:</u></p> <ul style="list-style-type: none"> • Send the draft infographic out to educators and parents and ask for feedback on what questions it generates; • Create a Q & A document based on the feedback you get; • Review and incorporate the Q & A document that came out of the SPIN Conference networking session on ESY;

<p>Infographic Work Groups (cont.)</p>	<p><u>Additional input from members included:</u></p> <ul style="list-style-type: none">• Emphasize that determination of ESY is not just regression and recoupment;• Parents need simplified terminology;• The logic of a formula of waiting 14 days for the resumption of ESY services seems to be based only on regression and recoupment.• Data is supposed to be presented to back up those decisions;• In ESY determinations, the child’s needs should take precedence over other guidelines;• It is not clear from the infographic whether all 6 factors are required before ESY is granted;• All six factors must be considered, but you don’t have to need all six;• Regression and recoupment need to be defined;• The criteria in the ESY determination need to be more clearly defined and this could be included in the dialogue guide;• Do the guidelines include anything about the timeliness of data needed for a determination? When IEP teams fail to bring data to a meeting, it delays the determination. <p><u>Next steps</u></p> <p>Work group members will try to make some of the suggested corrections to the draft infographic and reintroduce it for final vetting at the March meeting.</p>
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