**SPECIAL EDUCATION ADVISORY COUNCIL**

**Minutes – April 11, 2023**

**9:00 a.m. – 12:00 p.m.**

**PRESENT:** Virginia Beringer, Deborah Cheeseman, Annette Cooper, Mark Disher, Martha Guinan, Mai Hall, Melissa Harper Osai, Amanda Kaahanui (staff), Helen Kaniho (liaison to the Superintendent), Tina King, Jennifer Leoiki-Drino, Cheryl Matthews, Kau‘i Rezentes, Susan Rocco (staff), Debora Uyeda, Steven Vannatta, Lisa Vegas, Jasmine Williams, Susan Wood Virginia Beringer, Deborah Cheeseman, Annette Cooper, Mark Disher, Martha Guinan, Mai Hall, Melissa Harper Osai, Amanda Kaahanui (staff), Helen Kaniho (liaison to the Superintendent), Tina King, Jennifer Leoiki-Drino, Cheryl Matthews, Kau‘i Rezentes, Susan Rocco (staff), Debora Uyeda, Steven Vannatta, Lisa Vegas, Jasmine Williams, Susan Wood 

**EXCUSED**: Sara Alimoot, Shana Cruz, Melissa Johnson, Dale Matsuura, Kaili Murbach, Chris Pelayo, Kiele Pennington, Rosie Rowe

**ABSENT:** Lisa Garcia, Paul Meng

**GUESTS:** Will Carlson, Sandy Jessmon, Michael McGushin, Brikena White, Angela Wong

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| **TOPIC** | **DISCUSSION/ACTION** |
| **Call to Order/ Welcome** | At 9:10 a.m. Chair Martha Guinan called the meeting to order and asked Amanda Kaahanui to call the membership roll. |
| **Introductions and Member Reflection** | As members and guests introduced themselves, they were asked to share one word that reflects on why they serve on SEAC or choose to attend SEAC meetings. They were also asked to reflect on what they hope to accomplish with SEAC this school year.  **Action: Amanda produced a word cloud made up of a collection of the 1-2 words expressing why those present at the meeting choose to engage with SEAC and shared the word cloud in the chat. (**[**http://seac-hawaii.org/wp-content/uploads/2023/08/Word-Art1.jpeg**](http://seac-hawaii.org/wp-content/uploads/2023/08/Word-Art1.jpeg)**)** |
| **Input from the Public** | Crisis on Maui  Martha acknowledged the crisis on Maui caused by the devastating wildfires earlier this week and invited members and guests to comment on the issue. Michael McGuffin, a District Educational Specialist (DES) from the Canoe Complex, shared that there are still a few unknowns, and that the Department is working to ensure that those who survived the fires are safe and connected to organizations who can help with their immediate needs. Will Carlson, who is also a DES from the Canoe Complex based on Molokai, added that he and Michael met with Helen and Brik and others from the state office yesterday to identify students and get lists shared. Currently about 90 to 95 of their staff, if they're not working with one of the other schools on Molokai, Lanai, or Hana are in the shelters helping. There has been a beautiful outpouring of help coming across all Islands, from the continent, and other places. The district team is trying to build as many layers of plans as possible to ensure that there is continuity for the children that need it once they are located. Will has had early intervention groups already contact Michael and ask if students can go to another school, and his team |

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| **Input from the Public** | Crisis on Maui (cont.)  is supporting that transition and transfer. He asked for patience and grace because the team may not get right the first time due to the uniqueness of the situation. Martha thanked both Michael and Will for sharing. She shared that our two Maui parent representatives were not able to join us today. Melissa Johnson and her husband are busy with the Maui Civil Air Patrol. Kaili Murbach is safe in Kula but dealing with the crisis as well. Helen and Brik expressed their gratitude for having Will and Michael—part of the Maui ohana--join with SEAC today, and she said we should all be proud of their leadership and support of their community, especially because it's so hard right now. Members and guests can go to the HIDOE website for updates and information regarding in-kind offers of support through donations. |
| **Announcements** | Oral health for children  Susan Rocco announced that Mai Hall, who works for the Hawaii Children's Action Network wanted to make folks aware of their oral health care initiative. Susan can send out information to members after the meeting.  Stop Bullying Poster Contest  Melissa Harper Osai announced that LDAH and others, including herself, are sponsoring a poster contest for public and private school students from Kindergarten through Grade 12 with the theme of preventing bullying. The aim of the contest is to have students and others be aware of the signs of bullying, to reinforce the message of kindness and to encourage folks to join the effort to prevent bullying. The contest ends on September 15th, so all entries need to be shared with LDAH by that date. The artwork will be displayed in Waikiki.  LDAH Traveling Mini-Conference  Amanda announced that LDAH is planning its first traveling mini-conference on Molokai on August 17th.  SEAC Annual Report for SY 22-23  Susan R. shared that SEAC's Annual Report for the last school year is almost ready for distribution. Once Superintendent Hayashi receives his copy, the report will be sent to members and other interested parties. Susan encouraged members to spread it widely. |
| **2023 Hawaii's IDEA Part B Determination** | Helen Kaniho and Brikena White chose to present together to model consistency and connection regarding 1) the results of the Office of Special Education Programs (OSEP) review of Hawaii's 2023 Annual Performance Plan submission, and 2) their priorities for the upcoming year and how those priorities are aligned with the Department's Implementation Plan. |

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| **2023 Hawaii's IDEA Part B Determination**  **(cont.)** | Results-Driven Accountability  The Individuals with Disabilities Education Improvement Act of 2004 emphasized raising expectations and improving outcomes of students with disabilities as they are linked to grade level standards. IDEA and the U.S. DOE requires states to have a General Supervision System for accountability in not only improving educational and functional outcomes for our students but also in protecting the rights of parents.  SPP/APR  One of the IDEA accountability measures is the State Performance Plan and the Annual Performance Report. The SPP/APR include 17 indicators arranged in a "Tree of Influence" which shows the inter-relationships of these indicators with internal and external factors and the need for a collaborative effort between HIDOE, families, community members, and other educational partners such as DVR and DOH. HIDOE must submit an annual report of its efforts to implement the requirements of IDEA through OSEP's 17 indicators--a combination of results and compliance indicators. SEAC members were encouraged to read the report at  <https://www.hawaiipublicschools.org/DOE%20Forms/Special%20Education/HIDOE_SPP-APRFFY2021.pdf>. In addition to the data on the 17 indicators, OSEP looks at child count and other data submitted throughout the year, as well as how a state's policies and procedures align with the intent of IDEA.  RDA Matrix  Hawaii received a determination of *needs assistance* for the APR submitted in February 2023 that reflected SY 21-22. Hawaii did make some progress on the Results-Driven Accountability Matrix from the previous year---a total score of 63.75% compared to 58.13% for SY 20-21. Hawaii would have to score at least 80% to move into the *meets requirements* determination. Elements of the RDA Matrix that contributed to Hawaii scoring less than 80% included:   * participation of 4th and 8th grade students with disabilities in regular statewide assessments of reading and math, * participation and performance of 4th and 8th graders with disabilities in reading and math on the National Assessment of Educational Progress (NAEP), * graduation rates for students with disabilities, * dropout rates for students with disabilities, and * secondary transition planning and services. |

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| **2023 Hawaii's IDEA Part B Determination**  **(cont.)** | Hawaii’s rating compared to other states  Hawaii was one of 29 States and entities receive a *needs assistance* determination for two or more consecutive years.  Questions/comments from members/guests  Q. How many consecutive times has HIDOE received the "needs assistance" rating? A.  Every year since 2014. |
| **ESB and MAC Branch Priorities for SY 23-24** | The Exceptional Support Branch and the Monitoring and Compliance Branch are focusing attention on 7 of the APR indicators: Discipline (4A and 4B), Preschool Outcomes (7), Parent Involvement (8), Secondary Transition (13), Resolution Sessions (15), Mediation (16) and the Statewide Systemic Improvement Plan (17). The priorities are aligned with the HIDOE Implementation Plan as it pertains to high quality learning for all, safe, nurturing & culturally responsive environments, instructional rigor, and high school graduation with preparation for college & career success and community and civic engagement. To accomplish these expectations, the workforce must be supported through training and efficient and effective operations at all levels.  Parent Survey Work Group  The priority to improve Hawaii parental involvement in special education is measured through a parent involvement survey. Working with SEAC and other educational partners, MAC and ESB recognize that the survey that is currently used is a little bit long and doesn't really measure the validity of students in Hawaii and their families. The Parent Survey Work Group has been holding conversations with the aim of improving the survey. Jasmine Williams who serves on the Work Group, reported that the information collected from the surveys seems only to be used for the APR report and not applied to staff training. It appears that the Department focuses a lot on the letter of the special education law, which is compliance, and does not look at the purpose and the intent of the law which moves towards results for students. Brikena agreed that most states are focused on compliance rather than successful outcomes for students. In Hawaii, the goal is to use compliance as a tool to get to those positive results, which Brik calls “the meat and potatoes.”  Questions/comments from members/guests  C. Preschool LRE (Indictor 6) was raised at the May SEAC meeting, and yet it is not listed as a priority for the Department. Q. Is that because it’s too difficult to improve upon currently? A. Our preschool LRE will be included in our work on preschool outcomes. Verna Chinen and Patty Dong are engaging with our Early Learning Centers and ECTA centers to make sure that preschool LRE is one of our priorities. Helen clarified that while the Department is working on LRE, the priority for this year is on high quality programming. |

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| **ESB and MAC Branch Priorities for SY 23-24**  **(cont.)** | Questions/comments from members and guests (cont.)  C. Many preschool students are being put on the bus, because their home schools don’t have a continuum of placement options for preschool children with disabilities. It is stressful for very young children to spend so much time in transportation and many schools only offer fully self- contained special education classrooms.  C. In a recent IEP meeting I asked for a parent survey and got no response. I asked again and the Vice Principal asked the Student Services Coordinator, "is there is a parent survey?" The SSC responded yes, and I had to share that every parent should be receiving it. After the meeting I received the survey. |
| **SEAC Priority Setting** | Steven Vannatta reminded everyone that SEAC meets 10 times a year, with the months of June and July off. Each SEAC meeting is three hours, so that results in 30 hours annually to focus on the priorities and the important work. To organize SEAC, members create 3-4 top priorities or “buckets” for the year to give the planning committee room to work on trying to organize the annual calendar and to bring the right people and the right data pieces to advance these complex issues.  Potential topics  Topics suggested at the May meeting included: 1) preschool least restrictive environments (LRE), 2) bullying, 3) dispute resolution, and 4) placements at Olomana School. Additional buckets offered by members for consideration included: 1) a monthly status update on the response to Maui school students with disabilities (continuity of services, facilities, etc.) affected by recent wildfires in Lahaina, Kula and Kihei; 2) oral health of children in the HIDOE (note: the Oral Health Coalition is working on a bill this session to place sealants on public school students); 3) access to justice for parents needing guidance, training, assistance in filing paperwork and legal representation around special education due process options; 4) adding consequences for those that bully others to the bullying bucket; 5) sexual education for students with developmental disabilities to prevent abuse; 6) adding social media education to the bullying bucket; 7) secondary transition; 8) DOE funding formula; 9) innovative assessments; 10) consistency in the eligibility, triennial evaluations and IEP processes and standards; and 11) inclusion in high school as well as preschool.  Selection of priorities for the SY 23-24  Members were given four votes each to cast toward their favorite topics in the bucket list. The top four buckets/topics are 1) preschool and school age inclusion, 2) secondary transition, 3) bullying, and 4) dispute resolution. |

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| **SEAC Priority Setting (cont.)** | Questions/comments from members and guests  C. The oral health topic includes things like adding the applications sealants to Form 14 which currently covers hearing and vision screening, and parent friendly resources around oral care.  C. I've had multiple families come forward to me recently about how their child with disabilities was molested in a school setting, because DOE is refusing to teach individuals with disabilities about sexual education and what is non-consensual sex.  C. A lot of times in the Waianae and Leeward Coast schools the IEP team members within the school have their own idea of what they would like to see happen, and they have different standards with regards to what the IEP or the eligibility process should look like. This prolongs the process to get the student supported. This scenario is most common with first-time families and families that transfer from another district.  C. Especially with high schoolers if inclusion is not properly implemented for those students with disabilities it can affect their social emotional well-being and their mental well-being.  C. I have found a lot of push back regarding re-evaluations; team members just want to use the information from when my child was 11, rather than re-evaluate him when he's 17 and more mature and has different kind of social emotional capacity. |
| **Report from the Dispute Resolution Committee** | Members viewed a letter from Chief Justice Mark Rectenwald dated July 6th that is a response to SEAC’s request for assistance from the Judiciary in addressing the access to justice issue of legal representation for families of students who are eligible for services under the Individuals with Disabilities Education Act. Mark Disher summarized the response as receptive to acting on the problem of not enough due process plaintiff attorneys. Judge Rectenwald is reaching out to other partners including the Access to Justice Commission and the Hawaii State Bar Association to find solutions. Mark recommended sending a simple thank you with a request to keep SEAC informed and involved going forward.  **Action: Members voted unanimously in favor of writing the recommended response to Judge Recktenwald.** |
| **Review of the Minutes of the May 12, 2023 Meeting** | Virginia Beringer pointed out that her last name is misspelled in the draft minutes. Susan Wood made minor typographical corrections.  **Action: The minutes were approved as corrected.** |
| **Agenda Setting for the October 8, 2023 Meeting** | Members suggested the following agendaitems for the October meeting:   * Update on response to the Maui wildfires, * Inclusion, |

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| **Agenda Setting for the October 8, 2023 Meeting (cont.)** | Questions/comments from members and guests (cont.)   * Membership vacancies (Honolulu and Leeward parent reps, representatives for foster children with disabilities and adults), and * Infographics and dispute resolution video project.   Virginia asked that if secondary transition is discussed, SEAC members receive a copy of the recent agreement between DOE and DVR. |
| **Infographic and Dispute Resolution Video Work Groups** | Martha and Amanda led members through a review of infographics and companion documents that are awaiting final vetting including the following:  IEP Team Members Companion Document  This document is meant to provide additional information about the mandated and optional members of the IEP team. The document was discussed at the May meeting to determine when and where within the document the individual with a disability should be referred to as *the child* and when the reference should be to *the student.* Suggestions included choosing one term or the other throughout the document, choosing a term based on the role of a family member or an educator, or using a combined *child/student* throughout the document.  **Action: Members voted to approve the latest draft document.**  Diploma vs. Certificate  Lisa Vegas said the infographic has been vetted, but the work group is waiting for input from the Department on the dialogue guide.  **Action: Lisa will follow-up with the Department.**  Are You Concerned About Your Child’s Behavior? (version 3)  The original infographic developed by Jasmine Williams and Susan Wood was vetted several years ago. Subsequently, members opted to try to break the original infographic down into its individual steps. The new work group members changed after several months resulting in two different draft templates. Virginia worked on the latest work group and shared that the group struggled to identify the target population (parents of children with or without IEPs) and to make the information about getting help for behavior as uncomplicated as possible. Amanda suggested tabling work on the re-drafted infographic temporarily until there is more clarity on what message to impart and which resources to highlight. Jasmine suggested the possibility of developing two separate infographics—one for children with IEPs and one for children who have not received IDEA services yet.  Private to Public School Transitions for Students with Disabilities: What Parents Need to Know  The current vetted infographic resulted from a partnership between SEAC and the Hawaii Branch of |

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| **Infographic and Dispute Resolution Video Work Groups**  **(cont.)** | Private to Public School Transitions for Students with Disabilities: What Parents Need to Know -cont.  the International Dyslexia Association (HIDA). It contains a QR code that links readers to the HIDA Checklist for Students with Learning Disabilities Transferring to Public School. The work group is open to ideas for additional infographics that would be helpful to this population. Debbie Cheeseman shared that one idea the group discussed is to offer suggestions to private schools on what they can offer students and families, and another is to encourage parents to get their children evaluated while still in the private school, so that they are better positioned for transition to public school should their children be expelled from the private school or need more extensive supports.  Positions and Interests Video  Steven Vannatta is leading a work group that will develop a Hawaii video aimed at helping parents and school personnel find agreement on issues where each party holds a contrary position. The decision to choose this focus was based on a video produced by the Center for Appropriate Dispute Resolution in Special Education (CADRE) that encourages parents and educators to look at the interests underlying the positions taken by both parties to find common ground. Members viewed a video produced by Comms Lab demonstrating the difference between positions and interests as a fundamental tool of negotiation. Steven credits this teaching video with explaining the issue with humor and without evoking negative emotions.  Feedback from members and guests   * What I thought of when I saw that was the classic “I want 6 hours of speech therapy for my kid every day.” The school thinks it is unreasonable to ask for that much therapy because the student would be missing other necessary services and experiences, but it typically doesn’t ask the parent for the interests underlying their request for lots of therapy. * The practice helps people move from an adversarial position into a partnership position. * My concern is that the school generally comes with a position and IEP team members follow the administrator’s lead because their job is on the line. Parents are usually the ones who must back off. Unless the Department changes their mindset, we won’t be able to have this level of negotiation. * I believe we have lots of educators who will listen to families, but what often happens in meetings is that folks don't have the skills to search for the interests underneath the position. CADRE has endorsed discussing interests and positions as a technique that has been shown to be helpful nationally, and I think that we must try it out and maybe do some testing of it to see if it's worthwhile. |

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| **Infographic and Dispute Resolution Video Work Groups**  **(cont.)** | Feedback from members and guests (cont.)   * My real-life scenario regarding positions and interests is that in my son’s program they are using a computer to read to him so that he can understand how to answer problems. But the interest behind my opposing this instructional position is that this practice is reducing his own reading skillset. So, when he’s volunteering at the hospital and would like to read the paper for someone or when he enters the job force, he is limited to using an assistive device or having his phone read for him. * My assumption is that the educators in this SEAC meeting are open-minded, and I also think you want to hear from families about their own truths. It takes two sides to come up with solutions that benefit the child. * It would be good to have any video SEAC produces as required viewing by teachers and administrators.   Next steps  Steven suggested carving out time at a future meeting to view the CADRE video on positions and interests. He also asked anyone who is interested in joining this work group to contact him. Amanda suggested that our DOE partners investigate the process for getting a video added to the required professional development.  Questions/comments from members and guests  Q. How long does this process take? IEP meetings are limited timewise. A. Lisa was suggesting that educators view the video at the beginning of the school year. We would also need to get the video widely distributed to parents. Then at the IEP meeting both parents and educators would know how to potentially work through a difference in positions. |