

**Special Education Advisory Council  
October 18, 2024 Meeting  
Minutes**

**PRESENT:** Kathie Awaya, Virginia Beringer, Will Carlson, Annette Cooper, Mark Disher, Nancy Gorman (for Paul Meng), Martha Guinan, Melissa Johnson, Amanda Kaahanui (staff), Kupu Kaniho (liaison to the Superintendent), Tina King, Dale Matsuura, Cheryl Matthews, Siena Molina, Wendy Nakasone-Kalani, Chris Pelayo, Susan Rocco (staff), Rosie Rowe, Herbert Taitingfong, Steven Vannatta, Lisa Vegas, Jasmine Williams, Susan Wood

**EXCUSED:** Martha Guinan, Mai Hall, Trish Moniz

**ABSENT:** Kiele Pennington, Kau’i Rezendes, Scott Shimabukuro

**GUESTS:** Andrea Alexander, Aleena Ashton, Marlene Asuncion, Cesar D’Agord, Will Carlson, Verna Chinen, Patty Dong, Allison Eby, Lynn Hironaka-Fujimoto, Sandy Jessmon, Michael McGushin, Christine Montague-Hicks, Lori Morimoto, Brikena White

TOPIC	DISCUSSION/ACTION
<b>Call to Order/ Welcome</b>	At 9:10 a.m. Chair Martha Guinan called the meeting to order and asked Amanda Kaahanui to call the membership roll.
<b>Secondary Transition Discussion</b>	<p>Brikena White and Lori Morimoto from the Monitoring and Compliance Branch and Cheryl Matthews from the Division of Vocational Rehabilitation (DVR), who called in from the state of Washington, briefed members on the collaboration of DOE and DVR in transition planning.</p> <p><u>Eligibility for DVR Services</u></p> <p>DVR serves both individuals with disabilities who are seeking employment and employers who may need help understanding their responsibility to provide workplace accommodations. DVR provides both pre-employment transition services (Pre-ETS) to students as well as individualized services which must be approved by the VR counselor through a formal eligibility process and the development of an individualized plan for employment (IPE). The approved IPE becomes a formal contract agreement between the individual, the guardian (if there's a legal guardian involved) and the agency participant.</p> <p><u>Mission and vision of DVR and DOE</u></p> <p>DVR’s vision is to move individuals forward into competitive integrated employment. Its mission is to work as a team so participants can achieve their hopes and aspirations for meaningful employment through timely and individualized Vocational Rehabilitation Services. Brikena added that the vision of the DOE is to prepare all graduates to be globally competitive and locally committed. Together the two agencies work together in the theme of trust and in the interest of students through the IEP or 504 meeting. Both DVR and DOE are funded by the U.S. Department of Education, and their services are supposed to streamline a</p>

<p><b>Secondary Transition Discussion (cont.)</b></p>	<p><u>Mission and vision of DVR and DOE (cont.)</u> pathway for the individual student while they are in school. The DVR agency will continue to follow the student until they are well established in that competitive integrated employment.</p> <p><u>Workforce Innovation Opportunity Act (WIOA)</u> The purpose of this law passed in 2014 is to improve the workforce system and bring partners together including the Department of Labor, Career Technology Education (CTE) and the Department of Health (Developmental Disabilities Division, Child &amp; Adolescent Mental Health and Adult Mental Health). These partners can be invited to participate in transition planning for the student as early as age 16. DVR and DOE are working to have that happen consistently across the state.</p> <p><u>Pre-Employment Transition Services and VR Transition Services</u> Cheryl offered two brochures—<a href="#">Pre-Employment Training Services</a> and <a href="#">Interagency Brochure</a>--to describe these two services. DVR has contracted providers to deliver Pre-ETS to high school students in school and in paid work in the community.</p> <p><u>IDEA transition requirements</u> Lori described IDEA’s broad requirements as ensuring that all students with disabilities have a free appropriate public education that provides them the services required to meet their unique needs and prepares them for further education, employment, and independent living. By age 16, the IEP must include age-appropriate transition assessments, measurable postsecondary goals, transition services, a course of study and coordination with adult agencies. DOE must invite a representative of a participating agency that might be providing services to the IEP meeting with written consent from the parent and/or adult student. Transition services must address the areas of education/training, employment and independent living, be appropriate for the student and be updated annually.</p> <p><u>Pre-Employment Training Services (Pre-ETS)</u> These include:</p> <ul style="list-style-type: none"><li>• Job exploration counseling (identifying reasons to work, personal interests and current skills, evaluation of job requirements and benefits, etc.),</li><li>• Instruction on self-advocacy (describing the disability clearly to others, requesting appropriate accommodations when needed, demonstrating an understanding of their legal rights and responsibilities, etc.),</li></ul>
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<p><b>Secondary Transition Discussion (cont.)</b></p>	<p><u>Pre-Employment Training Services (cont.)</u></p> <ul style="list-style-type: none"><li>• Work readiness training (recognizing when there is a problem, request assistance, understand basic money concepts, demonstrate time management and good hygiene, etc.),</li><li>• Instruction on post-secondary opportunities in higher education (understanding the application and admission process for post-secondary training and education, understanding how to apply for financial aid, etc.), and</li><li>• Work based learning experiences (conducting informal interviews, job-shadowing, demonstrating understanding of workplace policies and procedures and how to follow-up after a job interview, etc.).</li></ul> <p><u>State Education Agency Agreement (SEA)</u></p> <p>DVR and DOE are in the final stage of getting an agreement signed. It is currently in the Attorney General’s Office, and once approved, the two agencies can create some great programming to provide realistic pathways for students. One example is Project Search for students 18-22 that provides workplace learning experiences before students leave school. A responsibility in the agreement that SEAC may be helpful with involves utilizing common messaging.</p> <p><u>Questions/comments from members and guests:</u></p> <p>Q. Can you offer DVR services at age 14? For my oldest son it started the latter part of his Junior year. A. Yes. By age 16 transition must be addressed, and earlier, if appropriate. If your child is 16, please reach out to your child’s care coordinator or your school administrator to ask to convene an IEP meeting to discuss transition.</p> <p>C. Transition services were delayed for my son, too. I asked about some of these services, and transition teacher said she didn't do this stuff until Senior year.</p> <p>Q. What are some steps parents can take to establish DVR services earlier? A. Reach out to your care coordinator to offer consent for inviting DVR to the IEP meeting. Once initial contact is made, you can reach out directly to the DVR counselor to facilitate additional follow-up meetings.</p> <p>C. When our DVR counselor meets with the parent/guardian and student during the intake, a lot of questions are asked and oftentimes, the DVR counselor will advise that we start the full VR application.</p>
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<p><b>Secondary Transition Discussion (cont.)</b></p>	<p><u>Questions/comments from members and guests (cont.)</u></p> <p>Q. The community providers and independent programs are the ones providing opportunities for my son. Does DVR just initially assess and establish eligibility?</p> <p>C. I like that it says "The school must invite"... and not leave it to the parents to invite folks they don't know exist yet.</p> <p>Q. In addition to DVR, should we also invite the employment agency such as Lanakila Pacific?</p> <p>Q. When the student becomes eligible for pre-employment services, how often do DVR counselors meet with the student?</p> <p>C. I agree that all children should learn about bills and coins. However, we are moving towards a cashless society. Are you teaching about debit/credit cards as well?</p> <p>Q. My son just turned 16, and this has not been brought up by the school. What should parents do when that is the case? Can DVR start at 14? For my oldest it started the latter part of his Junior year.</p> <p>Q. How does the instruction in these areas happen when they are on a diploma track? There is not time in the schedule. A. We encourage through our training that IEP team members embed some of these pre-employment services when selecting the course of study for the student through electives. This is a multi-year process.</p> <p>Q. How can parents initiate these services, if schools are being negligent? Is there a POC for each island or some way they can get assistance if they are unable to get it initiated directly through the school?</p> <p>C. We just learned about Project LIFE in Honolulu district. That is a multi-year program for job skills with employers, while Project SEARCH is a one-year program.</p> <p>C. Lanakila Pacific was very efficient with establishing an internship. However, the opportunity was very 'wait and see' until it was established. And then after it was completed, there was nothing. Luckily, another program had a work readiness and internship opportunity thereafter.</p> <p>C. Your presentation presents a wonderful structure for transition planning, but we receive calls from families that speak to a lack of connection; for example, they call their DVR counselor and don't get a response.</p> <p>Q. If a student takes Pre-ETS training as an elective, do they get any credit for that? Does the Board of</p>
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<p><b>Secondary Transition Discussion (cont.)</b></p>	<p><u>Questions/comments from members and guests (cont.)</u></p> <p>Education recognize that as something that can be assigned a credit towards graduation? A. (Cheryl) Right now we don't have that structured, and I would welcome working with SEAC on a solution. Other states have taken different types of certificated college level programming and broken it down to where students can receive high school credits. Our summer youth programming can also be very advantageous for our diploma track students when they participate in work-based learning and some of the classroom training that leads up to the work-based learning in the community.</p> <p>Q. Is there anything DOE can do to start developing curriculum for electives to have available at the middle school level--not just for students with disabilities but to benefit all children? By the time the kids move into 9th grade they're already deciding what classes they are going to need to take, and if they have no idea what that means, or why it's important, then they're not going to choose appropriately.</p> <p>Q. What is being done now to communicate with principals and transition teachers how important it is to have these discussions in middle school, so that when the parent asks for DVR, they are not told they have to wait until their child is in high school? A. We have conducted a 'road show' of training by MAC and ESB for the past three years where we communicate with our principals and school staff the requirements for transition planning (Indicator 13). But you are right. We need to continue to ensure that our teachers have the knowledge and DVR is at the IEP meeting, so that parents are also educated.</p> <p>C. I want to give a shout out for Lisa Vegas. She is an awesome transition teacher, and I wish we could duplicate her at every school.</p> <p>Q. Is it possible to get parent training regarding transition planning requirements? I have a lot of parents expressing concerns about this is our support group. A. (Lori) Please reach out to your school's IEP Care Coordinator/School Administrator to schedule a meeting to address transition. If you need further assistance, you can reach out to the Monitoring and Compliance Branch - Brikena White and Lori K. Morimoto: <a href="mailto:brikena.white@k12.hi.us">brikena.white@k12.hi.us</a>, <a href="mailto:lori.k.morimoto@k12.hi.us">lori.k.morimoto@k12.hi.us</a> 808-307-3600.</p> <p>C. (Amanda) SPIN plans to have a workshop on transition plans at our March 22, 2025 SPIN Conference.</p>
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<b>Disciplinary Removals for Students with Disabilities under IDEA</b>	<p>Brikena and Cesar D’Agord shared discipline data, including comparisons with national averages and comparisons with nondisabled students. They began the conversation by asking members for what word comes to mind to describe discipline. Answers included <i>punishment, rules, decisions, corrections, consequences, punitive, scolding, fear, teach, culture, boundaries, redirection, obedience, train, self-control, conformity, and rehab</i>. Brik reminded members that we sometimes forget that discipline also means we need to teach our students how to behave by offering them support and opportunities. Collecting discipline data helps drive decisions about developing programming and supports for our students.</p> <p><b>Action: Amanda created a wordle of word art emphasizing the number of times certain words regarding discipline were repeated.</b></p> <p><u>Impact of COVID on behavior</u></p> <p>In school year 22-23 more than 8 in 10 public schools saw stunted behavioral and socioemotional development in their students because COVID prevented our students from developing properly emotionally and behaviorally. During the same year, minor offences, such as tardiness and classroom disruptions were the most frequently cited behaviors that increased, in part due to COVID.</p> <p><u>Definition of a Disciplinary Removal</u></p> <p>It is any instance in which a child under IDEA is removed from his/her educational placement as written in the IEP due to a violation of the student code of conduct, and the student is not given the opportunity to:</p> <ul style="list-style-type: none"><li>• Be involved in and make progress in the general education curriculum,</li><li>• Receive the instruction and services in their IEP, and</li><li>• Participate with nondisabled students to the extent that they would have in their current placement.</li></ul> <p>A removal is NOT considered a disciplinary removal if the student:</p> <ul style="list-style-type: none"><li>• Is given the opportunity to appropriately participate in the general curriculum, <u>and</u></li><li>• Continues to receive the services specified in the IEP, <u>and</u></li><li>• Continues to participate with nondisabled students as they would in their current placement.</li></ul> <p><u>Impact of suspension</u></p> <p>The impact of removing students from their placements is to negatively affect their academic achievement by providing less access and less opportunity. Long term negative impacts also include absenteeism, dropping out of school, increased involvement in the juvenile justice system and family stress.</p>
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<p><b>Disciplinary Removals for Students with Disabilities under IDEA (cont.)</b></p>	<p><u>IDEA discipline data requirements</u></p> <p>These requirements include the percent of children with disabilities ages 3 through 21 with:</p> <ul style="list-style-type: none"><li>• Out-of-school suspensions/expulsions of 10 days or less,</li><li>• Out-of-school suspensions/expulsions of greater than 10 days,</li><li>• In-school suspensions of 10 days or less,</li><li>• In-school suspensions of greater than 10 days, and</li><li>• Unilateral removals to an Interim Alternative Educational Setting (IAES)</li></ul> <p><u>Comparing Hawaii data with national data</u></p> <p>Cesar presented a series of graphs comparing Hawaii’s data to the national average for SY 22-23 with the following representations:</p> <ol style="list-style-type: none"><li>1. Hawaii is suspending students for 2-10 days at a lower rate (5.4% vs 7.3%).</li><li>2. The rate for Hawaii’s total disciplinary removals is a little less than half that of the national average (16.0% vs. 29.6%).</li><li>3. Hawaii data matches national average reflecting that students with emotional disabilities had the highest rate of suspension in SY 22-23 (24.2%). The second highest rates are for other health impairment and specific learning disabilities.</li><li>4. Fewer students with emotional disabilities in Hawaii were suspended for more than 10 days than the national average (3.2% vs. 4.3%).</li><li>5. Most of the disproportionality nationally for suspensions of more than 10 days relates to black students, but in Hawaii Asian, Hispanic, Native Hawaiian/Pacific Islander and white students have higher rates if suspensions than the national aggregate.</li><li>6. By gender, both in Hawaii and nationally, more male students are suspended than female students.</li><li>7. A lot of the suspensions fall into the category of 2-10 days, and this category also includes cumulative suspensions.</li><li>8. English Learners who are dually identified as IDEA eligible in Hawaii are suspended at a higher rate than students who are not English Learners.</li><li>9. The suspension rate for IDEA students is double that of general education students, including for in-school suspensions.</li></ol>
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<p><b>Disciplinary Removals for Students with Disabilities under IDEA (cont.)</b></p>	<p><u>Next steps</u> The MAC team, including Cesar, have heard a lot of great suggestions for digging deeper into the discipline data including looking at services to the student as well as their placement. They will consult with the SEAC Leadership team about presenting this data in the upcoming months.</p> <p><u>Questions/comments from members and guests</u> C. The goal for discipline should always be to give skills to result in self-discipline. The Civil Air Patrol defines self-discipline as “the ability to direct your thoughts, emotions, and actions toward a meaningful purpose.” C. Suspensions also negatively affect lifetime earnings and can contribute to mental health problems and underemployment. C. It might be more helpful to see Hawaii’s disciplinary data in a chart that lines up all 50 states and territories in the order of magnitude of their suspension rates. That is because the national average contains some ‘bad actors’ whose high suspension rates tend to bump up the national percentage. Other states have significantly lower suspension rates than Hawaii, and it would be helpful to investigate how they are managing discipline. A. That makes sense, and we can organize the data with a rank for a future meeting. Discipline data is lag one year behind, so the SY 22-23 data is what we will be reporting in this year’s Annual Performance Report. Q. Will you be able to break down the grouped ethnicity data for Hawaii into distinct ethnicities at a future date? A. Yes. Q. Are you able to do a comparison of a state that has a student population similar to ours? A. (Brikena) Yes. That is a good idea, and we will do that. Q. May we also see the numbers of suspensions per district? Does Oahu do more discipline proportionally than Maui? A. Yes, we can calculate that by districts or complex areas. Q. Is the suspension percentage reflected for an ethnicity based on that ethnicity’s percentage of the total special education population? A. The percentages are calculated the way they are to eliminate any bias and to prevent a large number of students of a certain race/ethnicity to impact the overall results, but I can see it's a good idea for people to see a pie chart and see how the national data breakdown of populations is compared side by side to Hawaii.</p>
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<b>Disciplinary Removals for Students with Disabilities under IDEA (cont.)</b>	<p><u>Questions/comments from members and guests (cont.)</u></p> <p>Q. Is it possible to measure Hawaii to Hawaii—the number of students with disabilities broken down by ethnicities compared to the number of students within that ethnicity who were disciplined? A. We will go back to the data just on Hawaii to do an internal comparison within ethnicities.</p> <p>Q. Do you have a breakout of the reasons for suspensions, for example, fighting? That would help to identify any trends. A. Yes, we have the data by classes of offences. Lighter offences have shorter suspensions.</p> <p>C. When OSEP put an accountability focus on suspensions of more than 10 days, we saw the number of longer-term suspensions in Hawaii drop sharply, but then we saw a lot of suspensions 10 days or less remain out of whack. It's true that any suspension of any length can have a negative effect on the student, so it is problematic that OSEP is still allowing so many days of suspensions without additional accountability. A. GAO report in 2013 tried to address significant disproportionality (SD) in suspensions. It resulted in an addendum to IDEA defining how states should calculate SD. OSEP issued guidance documents on suspensions and expulsions two years ago that created a protocol for monitoring of schools on discipline data and discipline policies. Also, OSEP is going to be releasing new guidance on behavior assessments. Hawaii is also working on a revision of their policies and procedures for discipline, so we are looking for improvements.</p> <p>C. My biggest concern about the suspensions of special education students is whether there is a correlation between IEP supports and services and discipline—were appropriate assessments done and services provided so that a student could learn a skill to prevent a disciplinary removal? We need to dig deeper to find out why these misbehaviors are happening, so that we might help change the culture and be more preventative and proactive.</p> <p>C. If we look at the percentage of 7.8% of students with IEPs suspended and we focus on where the majority of discipline occurs—in middle and high school—then we may find that 1 in 10 students or 2 in 10 students in this age group are being suspended. That gives the issue more urgency, because those kids who are missing school will have trouble graduating. A. Yes, the highest number of suspensions occurs in middle school in all states.</p> <p>Q. If we have ideas on how we might get some of these numbers down, who should we contact? I used to</p>
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<b>Disciplinary Removals for Students with Disabilities under IDEA (cont.)</b>	<u>Questions/comments from members and guests (cont.)</u> be the deputy commander of cadets for our Civil Air Patrol Squadron and had a Cadet that was expelled for shoving a teacher up against the wall. I was able to use some of our leadership strategies to really turn things around for him in a short amount of time. A. (Brik) We can schedule some time to discuss this. C. It would be helpful to look at the department’s capacity to serve our students. If there is no appropriate placement for them, they are kept where they are. If we don’t provide the supports and services the students need, we are setting them up for failure. I would like to see what range of placements and environments are available in the various complexes.
<b>Input from the Public</b>	Melissa Johnson spoke to the difficulty of supporting her son in his <i>pro se</i> due process hearing. There were also issues in the hearing that made it difficult for them to challenge some outlandish hearsay evidence that was presented by the DOE, including false statements about the family’s prejudice against the ethnicities or sexual orientation of some of the providers. Without having the individual who was cited in the hearsay present, it was impossible to cross examine or refute the hearsay testimony. Melissa asked if there is a way to prohibit the use of hearsay in a special education administrative hearing. Her son was the individual who filed the due process, and his psychiatrist helped to prep him for the hearing testimony. However, he was not prepared for the false statements, and now the family is dealing with the additional fallout of that additional stress compounding his Post-traumatic Stress Disorder diagnosis. Especially with having the crisis of the attorney shortage Melissa appealed to SEAC to take action to make sure it's safe for our students with disabilities and their families to be able to participate in a due process hearing when mediation fails. She also recommended to Brikena that the next <i>Pro Se</i> training be more thorough in preparing parents. Lastly, Melissa asked if any member was aware of the process for having hearsay excluded from due process hearings. Brikena expressed her sympathy regarding Melissa’s experiences. She acknowledged that she cannot comment on any current pending litigation, but that once this due process is finalized and the due process hearing decision is published, she would like to schedule time with Melissa to discuss areas of concern and move forward together. Brikena also confirmed that Deusdedi Merced is coming back in February and invited all members to offer topics for coverage in his training.
<b>Announcements</b>	Susan R. announced that the SEAC Annual Report for SY 23-24 is now available through a link in the meeting chat and on the SEAC website. Members are encouraged to share it with interested individuals.

<b>Announcements (cont.)</b>	<p>Amanda made three announcements:</p> <ul style="list-style-type: none"><li>• The member portal on the SEAC website includes the Wordle completed by members in August, information to access the Venngage.com infographic app, and examples of infographics in process. If members need the password, they can call or email Amanda.</li><li>• The SPIN Conference will be on Saturday, March 22<sup>nd</sup> at the Hawaiian Convention Center at the tail end of the special education conference during Spring Break. Members are always invited to attend on SPIN’s sponsorship which includes lunch and transportation from the Neighbor Islands, if needed.</li><li>• The Footsteps to Transition website—<a href="https://footstepstotransition.weebly.com">https://footstepstotransition.weebly.com</a>—not only contains great information on secondary transition, but it also posts information on transition events across the state. The Oahu Footsteps to Transition Fair is scheduled for February 8<sup>th</sup>, the North Hawaii fair will be in January, and Maui’s fair is in February. Kauai’s fair is set for this Saturday in conjunction with Leadership in Disabilities and Achievement of Hawaii’s Traveling Mini Conference and the Legislative Forum organized by the Hawaii State Council on Developmental Disabilities.</li></ul> <p>Susan W. offered the SEAC Leadership’s proposal that the December 3<sup>rd</sup> SPP/APR Stakeholder Meeting revert to DOE sponsorship, so that SEAC can hold its own meeting on December 13<sup>th</sup> to catch up on discussions around priority topics and other SEAC business.</p> <p><b>Action: SEAC members present approved of holding a virtual SEAC meeting on December 13<sup>th</sup> from 9:00 a.m. to noon.</b></p>
<b>Review of the Draft Minutes of the August 2, 2024 Meeting</b>	<p>Susan W. made some minor typographical corrections to the August meeting minutes. Amanda reminded members that past minutes are posted on the SEAC website—<a href="https://seac-hawaii.org">https://seac-hawaii.org</a>—along with presentations and other handouts from each meeting.</p> <p><b>Action: The August 2, 2024 minutes were approved as corrected.</b></p>
<b>Agenda Setting for the November 8, 2024 SEAC Meeting</b>	<p>Members offered the following agenda items for the November meeting:</p> <ul style="list-style-type: none"><li>• Prepping for the SPP/APR meeting</li><li>• Suspension/Discipline (after the 23-24 data is available in January or February)</li><li>• Diploma/GED/Certificate of Completion</li></ul>

<b>Agenda Setting for the November 8, 2024 SEAC Meeting (cont.)</b>	<ul style="list-style-type: none"><li>• IEP Transition Planning</li><li>• PTE/CTE</li><li>• Absenteeism</li><li>• Alternative to Suspensions (ESB or OSSS)</li><li>• Dropouts/4140 – why students drop out and when</li><li>• Feeling Safe at school</li><li>• Personnel issues</li><li>• Improving the Pro Se Due Process Hearing for parents</li></ul> <p>Jasmine pointed out that many of the issues listed hinge on the IEP process, so in order to make progress, SEAC needs to examine how IEPs are managed across the state and whether needed services, including parent training, are being adequately provided. Susan R. agreed while pointing out that one of SEAC’s functions is to simplify complex topics through infographics, like absenteeism, for example, so that the larger special education community has a floor of understanding for ongoing discussions. Susan W. offered that the SEAC Leadership team will consider the topics above and come up with priority discussions that also factor in the importance of family school partnerships.</p>
<b>Update on Positions vs. Interests Video</b>	<p>The work group is still working on animating the scenario of an IEP meeting where the team explores the interests underlying conflicting positions taken by the parent and school personnel in order to find common ground. Steven will get the final script ready for review by members, so that Amanda can post it on the SEAC portal.</p>
<b>Selecting New Infographic Work Groups</b>	<p>Members took a poll to select their top 4 infographic topics from previous discussions. Members were also invited to offer new topics for consideration. The top choices were work-based learning, transition plan, IEP transition page, and chronic absenteeism. Melissa also suggested an infographic on the <i>Pro Se</i> Due Process Hearing.</p>