**SPECIAL EDUCATION ADVISORY COUNCIL**

Minutes – February 14, 2020

9:00 a.m. – 12:00 p.m.

PRESENT: Brendelyn Ancheta, Andrea Alexander, Virginia Beringer, Debbie Cheeseman, Rebecca Choi (for Mary Brogan), Annette Cooper, Mark Disher, Martha Guinan, Scott Hashimoto, Amanda Kaahanui (staff), Annie Kalama (liaison to the Superintendent), Tina King, Dale Matsuura, Danielle Mizuta (for James Street), Kaili Murbach, Kau‘i Rezentes, Susan Rocco (staff), Rosie Rowe, David Royer, Steven Vannatta, Lisa Vegas, Jasmine Williams, Susan Wood

EXCUSED: Sheri Komatsu (DVR), Bernadette Lane, Carrie Pisciotto, Ivalee Sinclair, James Street, Francis Taele

ABSENT: Bob Campbell, Cathy Kahoohanohano

GUESTS: Heidi Armstrong, Kevin Bardsley-Marcial, Lori de Crinis, Linda Elento, Sandra Jessmon, Capsun Poe, Patricia Sheehey

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| **TOPIC** | **DISCUSSION/ACTION** |
| **Call to Order/ Welcome** | Chair Martha Guinan called the meeting to order at 9:09 a.m. |
| **Input from the Public** | Inclusive Week VideoMartha asked members to view the short video prepared for Inclusion Week (December 2019) and posted on the Department’s website. She then elicited comments (see attachment A). Finally, Martha read excerpts from two parents and one grandparent who viewed the video at a Community Children’s Council meeting and were offended by it (see attachment A). Discussion points:* Members were dismayed to hear that families were negatively impacted by the video.
* A parent member commented, “it was certainly not the intent, but it depends on the lens that you look through.”
* A parent suggested having future videos also feature the comments of the students and the parents who are involved in inclusive classrooms.

**ACTION: AS Armstrong and Annie Kalama will take these comments into consideration in deciding when and how to share the video.**  They also clarified that Stetson did not have a hand in making the video.Change of personnel without informing parentAmanda Kaahanui was asked by a mother to relay an issue at her child’s elementary school. Her child had been supported by a skills trainer from RCM for several years until recently when the school switched over to in-house paraprofessionals who work 19 hours a week without benefits. The mother only learned about the switch when her child’s behaviors began spiraling down. She was told that the contracted caregiver could apply to work at the school with lower pay and no benefits. A second paraprofessional is needed because the in-house new hires can only work part-time.  |

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| **Input from the Public (cont.)** | Change of personnel without informing parentDiscussion points:* AS Armstrong agreed with others that the parent should have been told in advance of the plan to replace her child’s long-time support.
* Schools are moving toward building in-house capacity.
* There is a shortage of needed personnel both internally and with contractors, and the Department is trying to build cohorts with LBAs and RBTs.
* UH is helping to build capacity with cohorts and offering classes for RBTs.
* It was anticipated that the RBT position would be a popular career upgrade for educational assistants.
* Several EAs on the Big Island told Susan W. they had taken the RBT test but were fearful about moving forward given the possibility of greater driving demands and an uncertain schedule.

Effect of SPED pay differential on charter schoolsMark Disher expressed a concern of charter schools that the SPED pay raises only affect DOE positions within charter schools. These schools will not be able to match that amount. The raise doesn’t touch resource teachers, only classroom teachers. Discussion points:* There should be raises for teachers across the board.
* DOE has been in a hiring crisis for special education teachers and needed a bold action to prioritize this subgroup of teachers, because kids were being taught by non-qualified teachers.
* DOE is starting to raise salaries for teachers who work with kids every day.
* The raises were begun in January to see if they have an impact in the transfer period.
* Schools have systems in place to monitor the IEP and when it needs to be updated.

Issues with Big Island preschool classroomsMark reported that Ho’okena and a Hilo school are closing their preschool classrooms, upsetting some district folks. Mark suspects the closures are due to the new budget allocation. A separate issue is that a Kealakehe SPED preschool class is staffed by a hard-of-hearing substitute with no experience.**ACTION: AS Armstrong will look into the matter.** **ACTION: Members will verify concerns whenever possible, so the Department can move forward and contact affected schools.**Windward parent’s questions, concerns and success storyA parent of a high school student brought up a number of issues including the following: |

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| **Input from the Public (cont.)** | Windward parent’s questions, concerns and success story (cont.)* Does [the budget category] EDN 150 include funding for 504/ADA supports? SEAC should advocate for this funding from the Legislature.
* Would SEAC be willing to work more with Leadership in Disabilities and Achievement (LDAH) of Hawaii? (Answer: Two members of LDAH serve on SEAC and bring issues and data up for discussion).
* The Charter school/DOE guidelines need to be updated.
* Last year her son went on a successful overnighter field trip with DOE at age 19. Having contracted BCBA services has made a positive difference.

Discussion points:* LDAH tries to aggregate parent anecdotal data to uncover trends;
* LDAH is in conversation with DOE to share information without violating confidentiality. They are working to come up with a way to guide the DOE about a particular district issue.
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| **DOE 2020 Legislative Priorities** | Capsun Poe, a legislative analyst with the Policy, Innovation, Planning and Evaluation Branch, reviewed the Department’s legislative priorities for SY 20-21 and beyond. Of greatest importance is funding for the pay differentials for special education teachers, as well as Hawaiian immersion and hard to staff positions included in SB 2488. This bill says the monies can be also used to address the compression issue—unfair compensation for teachers who have served longer. Other legislative priorities correlate with the Department’s core responsibilities that are sustainable. The department is open to some pilot projects and is weighing the benefits of a school facilities proposal that would relegate responsibility for facilities outside of the Department, thus allowing a pure focus on educational services. AS Armstrong pointed out a bullying bill (HB2483) the Department feels it is too prescriptive, so testimony offered support for the intent with comments. Questions/comments from members and guestsQ. I am concerned about HB 2043 which allows mental health services to be provided to minors without parent consent or knowledge. Can you speak to it?A. The Department is monitoring it at this time.C. I agree that SEAC believes strongly in parental oversight, but I also know that the Child and Adolescent Mental Health Division advocates for adolescent access to care when the parent is potentially abusive or obstructive to the teen receiving help.C. My other concern about this bill is that it allows unlicensed mental health professionals to provide care under the supervision of a licensed professional. C. That may be related to an insurance issue. |

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| **DOE 2020 Legislative Priorities (cont.)** | Questions/comments from members and guests (cont.)C. HB 2043 was part of the Keiki Caucus package, so they thought they would help youth through this legislation.Q. Is this a juvenile detention issue? Maybe the issue is not with the parent. A. (Lisa Vegas) Kids in detention are wards of the state and receive mental health services.C. (Martha) I suggest members read HB 2043 and let the Legislative Committee know if you want SEAC to testify.C. SB 3156, relating to a Transition Success Network, was authored by Pat Morrisey at the Center on Disability Studies who was grateful for the Department’s input and support. It grew out of the Jobs Now Partnership project and the realization that there are gaps in transition services for students moving through high school.C. I suggest you look at SB 2244/HB 2420 relating to the Hawaii Civil Rights Commission. I advocated for the Commission to take up 504 due process claims, and this law clarifies that IDEA cases are not within the Commission’s scope.**ACTION: Members and guests received a handout entitled “2020 Legislative Updates for SEAC”**  |
| **SEAC 2020 Legislative Priorities** | Susan R. shared information about seven bills that the Legislative Committee recommends supporting this session, in addition to the Department’s budget. The Committee is also following one bill that requires reporting on the number and instructional time spent on standardized tests. Members were asked to participate in a review of three bills related to exemptions from ABA licensure and discipline data to ensure consensus on SEAC’s position.SB 341, SD2, HD2 This bill clarifies exemptions from ABA licensure for teachers to implement behavior plans and for special education teachers with severe/profound and autism licensure to conduct FBAs, and design and implement behavior plans. David Royer and Tricia Sheehey from the UH Special Education Department weighed in with the following points:* There are tons of research showing teachers can design and implement behavior plans with appropriate pre-service training;
* At UH, students learn how to design an FBA, implement a behavior plan and monitor it with great success;
* Students in the Severe/Profound and Autism program are required to do a functional analysis before they implement a plan; UH requires mastery, so those who do not pass must repeat the class until they are able;
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| **SEAC 2020 Legislative Priorities (cont.)** | SB 341, SD2, HD2 (cont.)* The Council for Exceptional Children has standards specific to teachers who are going to teach children with autism that include demonstrated knowledge and skills around behavior analysis;
* Not every teacher has these skills if they haven’t received specialized training; and
* The Model Code of Ethics passed by the Hawaii Teacher’s Standards Board allows a teacher to refuse a task which is outside their area of expertise.

A representative of SEAC’s Legislative Committee, Dr. Mary Jo Noonan from the UH Severe/Profound and Autism Program, and Nathan Murata, Dean of the UH College of Education met as a team with Representative Woodson, House Education Chair, HABA and HSTA representatives to advocate for adding teachers with the Severe/Profound and Autism specialization to the list of individuals exempted from the ABA licensure law. HSTA and HABA were willing to allow teachers to implement plans but were not in agreement with allowing certain teachers with expertise to conduct FBAs. Further meetings are planned to try to reach consensus**ACTION: Members and guests received copies of “2020 SEAC Legislative Priorities” and “Recommended Edits to SB 341, SD2, HD 2.” Members agreed with SEAC’s position on the wording for the proposed exemptions.**HB 2093/SB 2486The ACLU championed this bill to require the Department to provide a standardized data collection process and collect and analyze data on discipline, school climate and achievement. SEAC was pleased that the Department also supported the measure.**ACTION: Members agreed with SEAC’s position in favor of this legislation.**HB 2203/SB 2578The original version of this ACLU bill attempted to restrict suspensions in grades 6-12 and eliminate suspensions for students in grades pre-K to 5th. Given strong push-back by school principals, the language regarding limiting/eliminating suspensions was taken out. What is left is a requirement for DOE to track and publish the use of all exclusionary discipline broken down by student subgroup. While SEAC supported restricting or capping suspensions in order to reduce the loss of instructional time for special education students, better data will hopefully lead to corrective legislation or revised discipline policies around students with disabilities in the future.**ACTION: Members agreed with SEAC’s position in favor of this legislation.** |
| **Announcements** | Amanda invited all interested members to attend the SPIN Conference. Currently Debbie Cheeseman, Brende Ancheta, Jasmine Williams and Martha are planning to man the SEAC information table.  |

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| **Review of the January 19, 2020 Minutes** | Susan W. found some minor typos in the minutes and will email them to Susan R.**ACTION: The minutes were approved as corrected.** |
| **SEAC Service Project** | Martha thanked Dale Matsuura for bringing up the idea of contributing something back to our host school—Pu‘uhale Elementary. Dale suggested adding toys or other incentives to the “Store” inside the library. Susan Wood said her son is continuing to collect gently used Dr. Seuss books to donate to students and/or the library. He has collected 44 books to date. **ACTION: Members will give thought to one or more service projects to complete as a group before the end of the school year.** |
| **Agenda Setting for the March 11th SEAC Meeting** | Members offered the following agenda items for consideration:March 11th meeting:* State Systemic Improvement Plan (SSIP) Update
* Special Education Teacher Recruitment/Retention by AS Covell
* UH Special Education Department’s Recruitment Program
* Review of Absenteeism Infographics
* Update on Multi-tiered Student Supports
* Behavioral Support Personnel and their Job Descriptions

April 24th meeting:* Stetson Training/Technical Assistance in Hawaii by Frances Stetson

Susan Wood reported that the plan to have the Big Island Resource Teachers for Social-Emotional Learning has to be put off for the short term because of their previous commitments. Annie offered to check to see if someone at the state level might be able to present on the topic. Mark Disher offered to get data on police referrals for discipline infractions at Big Island schools, to see if social-emotional learning has had an impact on student behavior. David suggested a presentation on special education teacher recruitment from Janet Kim in the UH Special Education Department. |
| **Infographic Work Groups** | Final review of Reading and Inclusion InfographicsMembers took another look at edits to the two infographics. Possible corrections included:* Revisiting the recommendation to move the bullets into alignment with the letters of the word “BREATH” on the inclusion infographic; and
* Substituting the word “daily” for “nightly” in the reading infographic to suggest that parent/child reading interactions can take place at any hour.

Nominations for new work groups and member sign-upsMembers were asked to commit to work on one of the identified infographic topics. |