

**HAWAII SPECIAL
EDUCATION ADVISORY
COUNCIL (SEAC)**



**ANNUAL REPORT
2002-2003**



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Contact Information

Members of the Special Education Advisory Council (SEAC) can be reached at:

Special Education Advisory Council (SEAC)

919 Ala Moana Blvd., Room 101

Honolulu, HI 96814

Phone: (808) 586-8126

Fax: (808) 586-8129

Email: accesshi@aloha.net

SEAC's meeting schedule, agendas, by-laws, minutes and annual reports are available online at:
<http://www.spinhawaii.org/SAP/sap.html>.



VISION

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

MISSION

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

FUNCTIONS OF THE COUNCIL

1. To advise the Department of Education of unmet needs and any other issues or concerns within the state in the education of students with disabilities.
2. To comment publicly on the rules or regulations proposed by the State regarding the education of children with disabilities.
3. To advise the Department of Education in developing evaluations and reporting on data to the Secretary of Education, U.S. Department of Education, in the performance of his/her responsibilities under Section 618 of the Individuals with Disabilities Education Act.
4. To advise the Department of Education in developing corrective action plans to address findings identified in the Federal monitoring reports.
5. To advise the Department of Education in developing and implementing policies relating to the coordination of services for children with disabilities.
6. To monitor the implementation of activities and timetable pursuant to consent decrees or court orders regarding the education of children with disabilities.
7. To advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons.



RECOMMENDATIONS TO THE SUPERINTENDENT

Under its responsibility to advise you, the Council asks your action on the following recommendations:

INTEGRATED SPECIAL EDUCATION DATA SYSTEM (ISPED)

- Give parents access to their child's ISPED records for both review and input by giving them an access code.
- Expand clerical support for inputting data to allow teachers to spend more time on direct instruction and planning.
- Utilize SEAC's expertise to advise the Department on the design, implementation and evaluation of ISPED.

LEAST RESTRICTIVE ENVIRONMENT

- Increase training activities for general education teachers, special education teachers, paraprofessionals, administrators, related service personnel and parents on the principles of LRE and strategies to improve access to the general curriculum.
- Mandate that all new programs, strategies and curriculum be designed to fully include students with disabilities alongside their non-disabled peers.

PUBLIC CHARTER SCHOOLS

- Provide adequate funding and support services to students with special needs who attend public charter schools.

CONFLICT RESOLUTION

- Provide adequate training to administrators and teachers in IEP facilitation, and encourage early resolution of disagreements between parents and school personnel.

PARENT/FAMILY PARTICIPATION IN TRAINING ACTIVITIES

- Provide parents/families opportunities for input into the needs assessment, design, implementation and evaluation of all training activities.

DUE PROCESS

- Design and implement an evaluation system to monitor the quality of due process proceedings under the Department of Commerce and Consumer Affairs.



MEMBERSHIP

The membership of the Council represents a broad spectrum of committed individuals who have a stake in the education of children with disabilities. Council members are parents, grandparents, persons with disabilities, educators, advocates, departmental representatives, university professors and community members. A majority of members are individuals with disabilities or parents and grandparents of children with disabilities. All school districts are represented.

Members are appointed by the Superintendent and serve a three-year term. A membership roster is attached to this report (see Appendix A).

GOALS & OBJECTIVES

Council Committees are structured around four main goals and objectives:

GOAL 1 (Operations Committee)

To operate more effectively.

OBJECTIVE 1: Get full time staff support/budget

OBJECTIVE 2: Review the list of current membership and determine need for additional members.

OBJECTIVE 3: Establish a definitive role for SEAC in any decision making which affects students with disabilities.

GOAL 2 (Public Relations & Communication Committee)

To develop public relations for SEAC and a communication/feedback loop with all stakeholders.

OBJECTIVE 1: Utilize a variety of means to engage the public in SEAC activities.

GOAL 3 (Guidance & Quality Assurance Committee)

To guide implementation of services and timelines in accordance with court orders and State and federal rules and statutes regarding the education of children with disabilities.

OBJECTIVE 1: Guide the State of Hawaii in meeting compliance requirements of consent decrees and court orders.

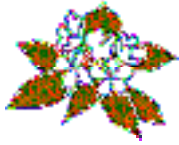
OBJECTIVE 2: Partner with DOE to develop an improvement plan based on OSEP monitoring recommendations.

GOAL 4 (Due Process Committee)

To review due process procedures and identify problem areas in order to assist the Department in reducing undue conflict between parents and schools.

OBJECTIVE 1: Review due process hearings decisions.

OBJECTIVE 2: Identify patterns, costs and issues relating to due process hearings.



ACTIVITIES OF THE 02-03 SCHOOL YEAR

Education of the Council

- Held discussions with the newly appointed Director of the Special Education Services Branch, Dr. Paul Ban, regarding his vision for the Branch
- Received the following briefings on issues relevant to children with disabilities: school-based behavioral health services, services for students with autism, No Child Left Behind legislation, teacher Union bargaining issues, charter school funding and supports to serve students with disabilities and IDEA legislation

Collaboration with other Key Planning and Policy-Making Bodies

- Represented the Council on the steering committee of the State Improvement Grant
- Joined the Department and a coalition of parent groups in developing parent materials for the No Child Left Behind Parent Choice and Supplemental Services options
- Helped develop Hawaii's Improvement Plan submitted to OSEP in October 2002
- Refined goals and key indicators through the Continuous Improvement Monitoring Process
- Represented the Council at an OSEP Leadership Conference in Washington, D.C., May 28-30, 2003
- Participated in drafting Interim Internal Management Guidelines for Geographic Exceptions

Felix Consent Decree

- Kept updated on the State's maintenance of effort with Comprehensive Student Support Services and School Based Behavioral Health; identified issues such as a lack of trust of the system by many Felix parents, the local shortage of behavioral specialists, the difficulty in converting these specialists to civil service positions, and the strain on existing personnel (i.e. counselors) when positions are vacant.
- Dialogued with plaintiff attorneys Shelby Floyd and Eric Seitz on sustainability issues and the status of Court benchmarks; identified unresolved issues including the number of complexes not in compliance, the departure of all state experts after one year and the Attorney General's Office's conflicting positions on Felix matters.

Reauthorization of the Individuals with Disabilities Education Act

- Gathered position statements from a variety of stakeholder groups on proposals to reauthorize IDEA and analyzed the anticipated benefit or detriment of specific changes
- Provided testimony to the House Education Committee and Hawaii's Congressional delegation regarding the Council's opposition to H.R. 1350 (responses received from Representative Case and Senator Akaka)
- Provided testimony to the Senate Health, Education, Labor and Pensions Committee and Senators Akaka, Inouye and Gregg regarding S. 1248; while the Council approved of many of its proposed changes, our testimony expressed specific concerns (response received from Senator Akaka)



ACTIVITIES OF THE 02-03 SCHOOL YEAR (cont.)

Least Restrictive Environment

- Wrote two letters to the Superintendent (July 3, 2002 and October 30, 2003) requesting action to preserve LRE for students with disabilities at Jefferson Elementary. Responses received expressed the Superintendent's support of providing LRE for students with disabilities at Jefferson. She indicated that studies were conducted and changes made where necessary.

Membership

- Developed a Member Application form for use in recruiting future SEAC members
- Developed a mechanism to address member absenteeism.
- Added additional parent members representing younger children

Public Relations/Communications

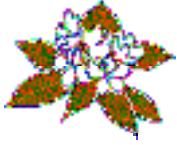
- Began revising the Parent Guide to Special Education.
- Posted monthly agendas and minutes on the Internet (www.spinhawaii.org/).

Charter Schools

- Wrote to the Superintendent (November 26, 2002) to advocate for per pupil funding and adequate support services for students with disabilities attending public charter schools (response received)
- Tracked the progress of 43 legislative bills relating to charter schools and provided testimony in favor of S.B. 1700 which incorporated the Council's recommendations:
 - √ Removing the conflict of interest of the Legislative Auditor by removing her responsibility for allocating funds to charter schools;
 - √ Providing a per student allocation to charter schools comparable to public schools; and
 - √ Including special education students in the per pupil allocation count.

Due Process

- Wrote to the Superintendent February 20, 2003 to express concern related to the transition of Due Process Hearings Administration to the Department of Commerce & Consumer Affairs and to recommend a continuous improvement monitoring of the new process. The Superintendent responded that the change was a result of continued weaknesses in meeting timelines, training, supervision and evaluation for hearing officers.
 - Developed criteria to review due process hearings. Previous information was summarized to track timeliness; however, SEAC feels that it is important to track issues, as well.
- Wrote to Dr. Robert Campbell (Office of Administrative Hearings) on May 23, 2003 requesting analysis of hearing requests and proceedings and a breakdown of the costs of litigation on a district by district basis (no response received as yet).



FUTURE DIRECTIONS

During the 2003-2004 School Year, the Council intends to play a proactive role in the following areas:

- √ **Providing testimony on the Reauthorization of IDEA;**
- √ **Monitoring compliance and sustainability of Felix reforms;**
- √ **Supporting the State Improvement Grant activities; and**
- √ **Participating in Implementation Planning for the Continuous Improvement Focused Monitoring Process**

Additionally, each Committee of the Council has identified objectives for the coming year:

Operations Committee – 03-04 Targeted Objectives

- Secure permanent funding for SEAC.
- Convene a Planning Retreat to update bylaws, goals & objectives.
- Secure representation from the Children’s Community Council Office

P.R./Communications Committee- – 03-04 Targeted Objectives

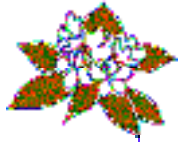
- Redraft and reprint the *Parent’s Guide to Special Education* in a user-friendly format;
- Develop a fact sheet on “person first” language for the media.
- Expand web capabilities to include member passwords for work in progress and special alerts.
- Reprint SEAC brochure and post PDF version on ISPED website.

Guidance & Quality Assurance Committee- Targeted Objectives

- Follow-up with the development on the updated MOA between Department of Public Safety and DOE.
- Monitor the transition of services for children with autism; examine the utilization and role of the Autism Consulting Teacher, skills trainers and educational assistants.
- Examine and address whether sufficient transition planning occurs for students as they move from more restrictive settings to less restrictive settings.
- Examine the adequacy of program options available to children and youth; provide recommendations based on student needs.

Due Process Committee – 03-04 Targeted Objectives

- Identify patterns and trends regarding due process hearing requests and outcomes.
- Monitor the timeliness and quality of due process hearings under the Administrative Hearings Office of the Department of Commerce & Consumer Affairs.



SPECIAL EDUCATION ADVISORY COUNCIL 02-03 MEMBERSHIP

Mr. Ray Hart, <i>Chair</i>	General Education Teacher - Maui District
Ms. Tami Ho, <i>Vice Chair</i>	Parent - Windward District
Dr. Alfred Arensdorf Grandparent	Child & Adolescent Mental Health Division,
Dr. Paul Ban Superintendent	Special Education Services Branch, Liaison to the
Ms. Sue Brown	Early Intervention Section, DOH
Ms. Deborah Cheeseman	Special Education Teacher – Honolulu District
Mr. Pat Chu	Division of Vocational Rehabilitation, DHS
Ms. Mary Ellis	Parent - Central District
Ms. Debra Farmer	Special Education Section
Dr. David Fray	Developmental Disabilities Division
Mr. Henry Hashimoto	Community Representative
Ms. Barbara Ioli	Parent - Leeward District
Dr. Jean Johnson	Center on Disability Studies, UH
Ms. Suzanne Kashiwaeda	Parent - Kauai District
Mr. Steve Laracuent	Individual with a Disability/ Special Education Teacher
Ms. Dee Dee Letts	Family Court, Judiciary
Mr. Alexander Lewis, Jr.	Central District Resource Teacher
Ms. Arlene Locquiao	Parent – Maui District
Mr. Ray Makkonen	Department of Public Safety
Ms. Rachel Matsunobu	Parent- Maui District
Dr. Dennis McDougall	University of Hawaii
Ms. Claire Nakamura	Variety School
Ms. Valery O'Brien	Parent - Honolulu District
Ms. Barbara Pretty	Windward District Resource Teacher
Ms. Susan Rocco	Parent- Central District (<i>Ex officio</i>)
Ms. Jill Shinno	Parent - Maui District
Ms. Sissy Sosner	Parent – Hawaii District
Ms. Jan Tateishi	Parent – Honolulu District (<i>Ex officio</i>)
Mr. Garrett Toguchi	Community Representative
Ms. Jasmine Williams	Parent Training and Information Center (AWARE)
Ms. Estelle Wong	Student Support Services Branch