

HAWAII SPECIAL  
EDUCATION ADVISORY  
COUNCIL (SEAC)



ANNUAL REPORT  
2006-2007



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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: [spin@doh.hawaii.gov](mailto:spin@doh.hawaii.gov)

SEAC's meeting schedule, agendas, by-laws, minutes and annual reports are available online at: [\*\*http://www.spinhawaii.org/SAP/sap.html\*\*](http://www.spinhawaii.org/SAP/sap.html).

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## **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, 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 under part B of the Act.
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.]
8. To review all final due process hearing officer findings and decisions.



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## **RECOMMENDATIONS TO THE SUPERINTENDENT**

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

### **ANNUAL PERFORMANCE REPORT (APR) PLANNING**

- Provide data for the APR Work Groups that is aggregated down to the school level to allow greater understanding by the community at large of performance outcomes and to facilitate relevant input and suggestions
- Allow adequate time for the Council to review the APR draft document prior to submission to the Office of Special Education Programs. [05-06]

### **DUE PROCESS**

- Make greater use of SEAC and other stakeholders in all aspects of improving Hawaii's system of dispute resolution (monitoring, public awareness, implementation of dispute resolution programs, evaluation, etc.)
- Use external facilitators to conduct resolution sessions
- Highlight and replicate local models of prevention and early intervention related to conflict resolution that have proven successful
- Pilot prevention strategies that have a track record of success in other states
- Develop mechanisms to create greater public awareness and outreach regarding the availability of all dispute resolution options, particularly those that emphasize early conflict resolution
- Partner with SEAC and other entities (Community Children's Councils, the Learning Disabilities Association of Hawaii, Hawaii Families as Allies, etc.) to ensure a wide distribution of public awareness materials
- Develop and distribute satisfaction surveys to all parties engaged in mediations, resolution sessions, settlement agreements and due process hearings
- Partner with SEAC and other willing parties to develop and present workshops that focus on special education dispute prevention and early resolution
- Develop legislation to repeal the 90-day timeline for parents to file a request for due process when they unilaterally place their child in private school and seek reimbursement from the Department



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## **RECOMMENDATIONS TO THE SUPERINTENDENT (cont.)**

### **DUE PROCESS (cont.)**

- Explore factors related to the underutilization of facilitation, conciliation and mediation in order to develop strategies to encourage early resolution of parent-school conflicts
- Ensure that due process decisions available to SEAC and the public uniformly include the student's age, sex, eligibility category and school district
- Work with the Department of Commerce and Consumer Affairs and the Attorney General's Office to ensure timely due process hearing decisions

### **GRADUATION POLICY**

- Work with SEAC and the Board of Education to re-draft language for the existing graduation policy to clarify that students on a certificate route should be accommodated to participate in graduation ceremonies with their same-age peers even though IEP goals may not be completed

### **PARENT SURVEY**

- Develop and disseminate future copies of the Parent Survey to parents of special education students in alternate formats (i.e. on-line, Braille, large print, audiotape) and different languages, so that the responses received are inclusive of all families

### **TRANSFER OF RIGHTS TO THE STUDENT AT AGE OF MAJORITY**

- Provide an alternative mechanism to legal guardianship for appointing the parent as an educational decision maker when their child reaches the age of majority and his/her disability makes him/her unable to make informed decisions regarding his/her education.



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## **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.

## **ACTIVITIES OF THE 06-07 SCHOOL YEAR**

### **Chapter 56 Revisions**

- ☛ Provided input to the Department on how best to solicit input from the public on how Chapter 56 should reflect the the IDEA final regulations
- ☛ Testified at the IDEA/Chapter 56 sessions on SEAC's recommendations on suggested revisions and language for Chapter 56
- ☛ Provided testimony at a Special Programs Committee for the Board of Education requesting the formation of an inclusive work group to revise Chapter 56
- ☛ Served on the planning committee for setting up the Chapter 56/60 Work Group
- ☛ Attended the orientation meeting of the work group

### **Legislative Action**

- ☛ Met with the Community Children's Council Legislative Coalition and the Child and Adolescent Mental Health Task Force to set legislative priorities
- ☛ Received briefings from the DOE Budget Analyst and the State Planning Council on Developmental Disabilities to receive information and shape priorities for testimony
- ☛ Testified in support of emergency appropriations for early intervention and the Developmental Disabilities Division
- ☛ Supported key sections of the Department of Education's budget as they impacted students with disabilities and necessary school supports, such as technology, transportation and electricity
- ☛ Tracked legislation related to the reauthorization of the No Child Left Behind Act



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## **ACTIVITIES OF THE 06-07 SCHOOL YEAR (cont.)**

### **Legislative Action (cont.)**

- Provided testimony to the U.S. House and Senate education committees in support of Medicaid reimbursement for school health and related services provided to students with disabilities who are Medicaid eligible

### **Due Process Review**

- Designed a “Survey of Families Following Due Process Hearings” and disseminated it to plaintiff attorneys with a request to share it with families who had experienced a due process hearing within the past two years
- Compiled a REPORT ON REVIEW OF SY 05-06 DUE PROCESS HEARINGS that included a review of hearing decisions, comparisons to Hawaii data from SY 03-04 and SY 04-05, and recommendations based on national trends and best practices
- Created a log of all due process hearings from SY 05-06 and attached it to the above report

### **Additional Activities**

- Provided input in the development of the Special Education Section’s Annual Performance Report of the 6 Year State Performance Plan
- Edited “A Parent’s Guide to Partnership in Special Education” to incorporate changes brought about by the IDEA 2004 Final Regulations
- Received informational briefings from special education specialists on important topics, including: Community of Practice activities, due process (including mediation, complaints and due process hearings), preschool outcomes, the surrogate parent program, public charter schools’ responsibilities to students with disabilities, post-secondary outcomes, state monitoring efforts and the new data system (eCSSS)
- Researched alternative mechanisms to court awarded guardianship used by other states to allow parents to maintain the right to represent their child when students reach the age of majority and are unable to make informed decisions due to the nature of their disability
- Provided testimony to the Board of Education on its revisions to its Policy on Special Education and Related Services





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## **FUTURE DIRECTIONS**

**During the 07-08 School Year, the Council has committed to the following:**

### **Chapter 56 Revisions**

- Continuing participation on the Chapter 56/60 Community Work Group
- Providing input to the Board of Education on proposed Chapter 60 via the public hearing process
- Updating *A Parent's Guide to Partnership in Special Education* so that parents have a reader-friendly version Chapter 60
- Collaborative community training on the new Chapter 60 regulations.

### **Due Process Review**

- Reviewing due process hearing decisions and complaints for the 06-07 SY
- Issuing a report in the Spring of 2008 on SY 06-07 data
- Following up on recommendations made to the Department in its 2007 report.

### **Legislative Monitoring and Advocacy**

- Supporting the Department's budget
- Seeking consultation with Department budget analysts in early Fall to become well versed on the nature of budget requests and their justification.
- Continuing to work with the Department and community groups such as the Community Children's Council Legislative Coalition and the Child and Adolescent Mental Health Task Force on other legislative initiatives that impact students with disabilities
- Providing testimony on important national legislation related to:
  - ✓ the reauthorization of the No Child Left Behind Act,
  - ✓ Medicaid reimbursements to schools for school health and related services under IDEA, and
  - ✓ full funding of the Individuals with Disabilities Education Act.

### **Early Childhood Transition**

- Working with Part C to make recommendations to ensure smooth transitions for toddlers with disabilities
- Working with the Department on strategies to increase and enhance placements for preschool students in the least restrictive environment.

### **Review and Address BOE Policies Relating to Students with Disabilities**

- Reviewing proposed changes to Chapter 19 (Discipline) and providing testimony to the Board of Education
- Examining other standing or proposed policies that impact students with disabilities.



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## APPENDICES

### A. MEMBER ROSTER

### B. BROCHURE

### C. CORRESPONDENCE

1. Letter to the the Superintendent dated July 28, 2007 presenting the 2005-06 Annual Report and the Superintendent's reply dated August 14, 2006
2. Letter to John Hager, OSERS, dated September 6, 2005 regarding the Council's recommendations on the IDEA Proposed Regulations
3. Letter Paul Ban and Debra Farmer dated January 11, 2006 regarding SEAC Feedback on IDEA Awareness Sessions
4. Testimony to the Senate Committee on Education & Military Affairs dated February 3, 2006 regarding support of SB 2833 (Electricity)
5. Testimony to the Senate Committee on Education & Military Affairs dated February 3, 2006 regarding support of SB 2834 (Transportation Services)
6. Testimony to the Board of Education dated February 9, 2006 regarding Burden of Proof legislation (HB 2101 and SB 2080)
7. Testimony to the Senate Committee on Education & Miitary Affairs dated February 15, 2006 regarding SB 2733
8. Testimony to the Senate Committee on Juidiary & Hawaiian Affairs dated February 23, 2006 regarding SB 2733, SD1
9. Testimony to the House Committee on Finance dated February 27, 2006 regarding support of HB 2346 (Electricity)
10. Testimony to the House Committee on Finance dated February 27 2006 regarding support of HB 2347 (Transportation Services)
11. Letter to Mr. Abraham Key, PONY Baseball, dated March 10, 2006 regarding sign language interpreters for students involved in youth sports programs



## APPENDIX A

### 2006-07 MEMBER ROSTER

Ms. Ivalee Sinclair, Chair	Grandparent and CCCO Representative
Mr. Steve Laracuente, Vice Chair	Individual with a Disability/SPED Teacher
Ms. Janet Bamford	Individual with a Disability - Military Representative
Dr. Paul Ban	Special Education Services Branch
Ms. Sue Brown	Early Intervention Section, DOH
Ms. Deborah Cheeseman	Special Education Teacher – Honolulu District
Mr. Lee Dean	Foster Children Representative
Ms. Zaiderne DeMello	Parent - Kauai District
Ms. Mary Ellis	Parent - Central District
Ms. Debra Farmer	Special Education Section
Ms. Gabriele Finn	Parent - Windward District
Ms. Casey Fish,	Parent - Hawaii District
Ms. Martha Guinan	University Representative, Parent - Central District
Mr. Henry Hashimoto	Community Representative
Ms. Laura Henderson	Parent – Leeward District
Ms. Tami Ho	Parent – Windward District
Ms. Barbara Ioli	Parent - Leeward District
Ms. Valerie Johnson	Division of Vocational Rehabilitation, DHS
Ms. Shanelle Lum	Parent - Leeward District
Mr. Ray Makkonen	Department of Public Safety
Ms. Rachel Matsunobu	Parent- Maui District
Mr. Evan Matsushima	Developmental Disabilities Division
Ms. June Motokawa	General Education Teacher - HSTA
Ms. Barbara Pretty	Windward District Resource Teacher
Ms. Susan Rocco	Parent- Central District (Ex officio)
Dr. Patricia Sheehey	University of Hawaii Representative
Mr. August Suehiro	Principal - Olomana School
Mr. Guy Tagomori	Division of Vocational Rehabilitation, DHS
Ms. Yolanda Tanielu	Parent - Maui District (Molokai)
Ms. Jan Tateishi	Parent – Honolulu District (Ex officio)
Ms. Judy Tonda	Homeless Children Representative
Dr. John Viesselman	CAMHD Representative
Ms. Jasmine Williams	Parent Training and Information Center
Mr. Duane Yee	Private School Representative

## Share Your Concerns

Meetings are open and public input is welcome. Up to 30 minutes of each meeting is set aside for individuals to comment on issues related to special education. Comments can be presented in person or mailed to the Council to be read by the Council Chairperson.

Individuals have up to five minutes to present their issue. The individual speaker will be asked to be factual and avoid using names of students or school staff.

If you have something to say to SEAC, here is some basic information :

**DATE:** 2nd Friday of the month  
(except State holidays)

**TIME:** 9:00 a.m. - noon  
( Public Comment Period is  
11:30 a.m. - noon)

**PLACE:** 919 Ala Moana Blvd.  
(call ahead for the room)

You may receive an agenda and minutes of our meetings by contacting us, or you may view them electronically on the SPIN website:  
<http://www.spinhawaii.org/SAP/sap.html>



## SPECIAL EDUCATION ADVISORY COUNCIL (SEAC)

919 Ala Moana Blvd., #101,  
Honolulu, Hawaii 96814  
(808) 586-8126 (V)(T) or (808) 586-8129/fax  
e-mail: [spin@doh.hawaii.gov](mailto:spin@doh.hawaii.gov)

### **Other Resources:**

**Assistive Technology Resource Center**  
(808) 532-7110 (V)(T) [www.atrc.org](http://www.atrc.org)

**Community Children's Council Office (CCCCO)**  
(808) 586-5363, (800) 437-8641 (V)

**Complaints Office, Special Ed/504 Compliance (DOE)**  
(808) 733-4832 (V)

**Developmental Disabilities Council**  
(808) 586-8100 (V) [www.hiddc.org](http://www.hiddc.org)

**Division of Vocational Rehabilitation (Oahu)**  
(808) 586-5167 (V)(T) [www.hawaii.gov/dhs](http://www.hawaii.gov/dhs)

**Hawaii Disability Rights Center**  
(808) 949-2922 (V)(T) [www.hawaiidisabilityrights.org](http://www.hawaiidisabilityrights.org)

**Hawaii Families as Allies**  
(808) 487-8785 (V) [www.hfaa.net](http://www.hfaa.net)

**Hawaii Services on Deafness**  
(808) 926-4763 (V)(T) [www.hnsod.org](http://www.hnsod.org)

**Learning Disabilities Association of Hawaii**  
(808) 536-9684, (800) 533-9684 (V) [www.ldahawaii.org](http://www.ldahawaii.org)

**Mediation Center of the Pacific**  
(808) 521-6767 (V) [www.mediatehawaii.org](http://www.mediatehawaii.org)

**Special Education Section (DOE)**  
(808) 733-4400 (V)(T)  
<http://doe.k12.hi.us/specialeducation/index.htm>

**Special Parent Information Network**  
(808) 586-8126 (V)(T) [www.spinhawaii.org](http://www.spinhawaii.org)

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## SPECIAL EDUCATION ADVISORY COUNCIL (SEAC)



*Hawaii's Advisory Body on  
Special Education Issues*

*Revised February 2007*

## What is SEAC?

The Individuals with Disabilities Education Act (IDEA) requires that each state establish and maintain an advisory panel for the purpose of advising the State special education staff regarding the education of all eligible children with disabilities. In Hawaii that advisory panel is the **Special Education Advisory Council** or **SEAC**.

## Functions of the Council

- ➡ To advise the Department of Education (DOE) of unmet needs in the education of students with disabilities
- ➡ To comment publicly on proposed rules and regulations by the DOE regarding the education of children with disabilities
- ➡ To advise the DOE in developing evaluations and reporting on data to the U.S. DOE
- ➡ To advise the DOE in developing corrective action plans
- ➡ To advise DOE in developing and implementing policies relating to the coordination of services for students with disabilities
- ➡ To monitor the implementation of activities and timetables pursuant to consent decrees or court orders
- ➡ To advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons.

## SEAC Membership

SEAC is made up of a diverse group of individuals with expertise on all aspects affecting special education and related issues. Each school district is represented. Our membership includes:

- ✓ parents and grandparents
- ✓ persons with disabilities
- ✓ teachers (from both special and general education)
- ✓ district and state school officials
- ✓ university professors
- ✓ juvenile and adult corrections program administrators
- ✓ folks from the Departments of Health and Human Services
- ✓ community folks
- ✓ private school representatives
- ✓ staff from the Parent, Training & Information Center (AWARE)
- ✓ representatives for children who are in foster care or who are homeless

## Our 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.

## Our 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.

