

Special Education Advisory Council ANNUAL REPORT



Relating to SEAC Activities
July 1, 2009 through June 30, 2010

Message from the Chair

It is our pleasure to provide you with the Special Education Advisory Council (SEAC) Annual Report for School Year 2009-2010.

I would like to thank our Council members for their dedication and participation in a number of important activities aimed at ensuring that students with disabilities have access to timely and appropriate services in the face of our State's economic downturn. This school year was particularly challenging as schools strove to meet the diverse needs of our students despite the loss of seventeen instructional days due to furloughs.

The Department of Education and other state departments also faced severe budget restrictions resulting in reduced resources and shortages of personnel due to hiring freezes.

In spite of these setbacks, this school year also yielded some victories, including the enactment of a state law that sets a minimum of 180 instructional days per academic year for Hawaii's public school students and the final passage of Chapter 60, our state's progressive response to the mandates of IDEA 2004. SEAC is committed to working with stakeholders this coming school year to support a greater understanding of these new rules and consistency in the implementation of Chapter 60.

We hope that you find the information in this report of interest. SEAC welcomes your input as we move into another year of a collaborative working relationships with the Department of Education, the Board of Education, the Legislature and the community at large.

Ivalee Sinclair



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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. During the 09-10 School Year, new members were welcomed representing charter schools and military families. A membership roster is included in Appendix A.

Recommendations to the Acting Superintendent



Kathryn Matayoshi

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

ANNUAL PERFORMANCE REPORT (APR) PLANNING

- “Grow” the expertise of SEAC members and other stakeholders who participate in Indicator Work Groups by providing an orientation for new members and ongoing opportunities to develop greater understanding of indicator data collection and analysis.
- Provide data to Indicator Work Group participants shortly after the data is collected (rather than wait until November or December to disseminate data on all twenty indicators) thus allowing participants to study the data in more depth.
- Disaggregate complex area and district data down to the school level to provide a greater awareness of trends within and between complex areas and/or age groups.
- Disaggregate ethnicity data from the broad OSEP category of “Asian/Pacific Islander” into the ten largest ethnicities that comprise this category in Hawaii in order to ensure effective improvement activities.
- Allow adequate time for the Council to review and comment on the APR draft document prior to submission to the Office of Special Education Programs.

CHAPTER 60 TRAINING AND GUIDELINES

- Include parents and other stakeholders in Departmental trainings on Chapter 60 as both trainers and audience members in order to model partnership and ensure that all stakeholders share a mutual understanding of the new regulations.
- Include SEAC in the final drafting of Chapter 60 guidelines in order to make use of the Council’s expertise and ensure that the resulting guidelines are optimally usable by all stakeholder groups.

DUE PROCESS

- Develop state criteria for private schools that provide special education and related services at public expense, and include access to student records and opportunities for observation of the publicly funded student in these criteria.

DUE PROCESS (CONT.)

- Partner with SEAC and other willing parties to develop and present training to mixed audiences that focuses on special education dispute prevention and early resolution.
- Allow SEAC to assist the Department in conducting a thorough review of settlement agreements--issues, outcomes, costs, student characteristics and geographic locale --in order to gain a more comprehensive picture of Hawaii's due process efforts and identify prevention and early intervention strategies to avoid legal costs and preserve the relationship between school and home.
- Provide data to SEAC on state and federal appeals of due process hearing decisions in order to establish trends and enable SEAC to gain a more comprehensive picture of Hawaii's due process efforts and identify strategies to cut down on preventable legal costs.

LEAST RESTRICTIVE ENVIRONMENT

- Increase the number of co-teaching teams to enable more students with special education needs to receive support in the general education classroom.
- Maintain a reasonable size and proportion of students with disabilities to those without disabilities in co-taught classrooms.
- Utilize research based strategies to improve the outcome of co-teaching (such as providing adequate time for planning and consultation, and equal participation of the regular and special education co-teaching team members in planning, instruction, monitoring and evaluating student progress).

RESPONSE TO INTERVENTION (RTI)

- Ensure that general education teachers implementing RTI are aware that parents can request an evaluation for special education at any tier of intervention, if they suspect that their child has a disability.

SECONDARY TRANSITION

- Ensure consistency across complexes and districts in implementing transition planning activities and services for students with disabilities age 14 and older by establishing transition coordinator positions in each complex with adequate training and understanding of the core competencies required of these positions.

SERVICES TO STUDENTS WITH AUTISM SPECTRUM DISORDERS

- Work with SEAC and parent groups for children with Autism Spectrum Disorders to examine and improve the array of services offered in public school settings to ensure the delivery of evidenced based teaching methodologies.

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.

Purpose

The Council shall provide policy guidance with respect to special education and related services for children with disabilities in the State. CFR 300.167

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. CFR 300.169(a)
2. To comment publicly on the rules or regulations proposed by the State regarding the education of children with disabilities. CFR.300.169(b)
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. 300.169(c)
4. To advise the Department of Education in developing corrective action plans to address findings identified in the Federal monitoring reports. CFR 300.169(d)
5. To advise the Department of Education in developing and implementing policies relating to the coordination of services for children with disabilities. CFR 300.169(e)
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.

Transition Committee

This committee was formed in response to a request from the Special Education Section for assistance in meeting critical performance indicators related to secondary transition and graduation and drop out rates. The scope of the Committee was broadened to include all transitions involving students with disabilities (age 3 to 20) at the urging of the Superintendent.



Mission. The Transition Committee will strive to raise awareness of issues related to the transition process, for families and the DOE, in order to achieve smooth transitions in a manner that does not duplicate existing resources.

Activities of the SY 09-10.

- ☛ gathered data from existing local and Mainland resources related to transition with a focus on post secondary transitions;
- ☛ invited transition coordinators from Farrington Complex and Olomana School to brief the full Council on their transition models for high school students with disabilities; and
- ☛ met with the state level specialist responsible for secondary transition and participated in the transition work group for the Annual Performance Report.

Direction for SY 10-11.

- √ Write a report on secondary transition practices in the public schools to:
 - Identify current services and gather input from key stakeholder groups,
 - Identify gaps and prioritize unmet needs,
 - Develop an action plan.

Legislative Committee

The Legislative Committee has been active for a number of years monitoring both state and national legislation related to students with disabilities and their families and addressing Board of Education policies and rules.



Mission. The mission of the Legislative Committee is twofold: 1) provide information and testimony to the Department, the Legislature, the U.S. Congress and the Hawaii Board of Education regarding legislative issues and administrative rules impacting children with disabilities; and 2) monitor the budget through the legislative process before the Board and then testify before the Board and the Legislature to support adequate funds and sources of funds to serve the needs of students with disabilities.

Legislative Committee (cont.)

Activities of the SY 09-10.

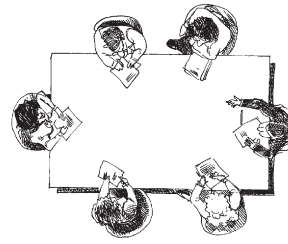
- ☛ Participated on a work group convened by the Department to draft Guidelines for the proposed Chapter 60 Administrative Rules;
- ☛ Provided testimony to the Board of Education on proposed revisions to administrative rules including Chapter 60 (special education) and Chapter 64 (student privacy);
- ☛ Provided testimony to the Board of Education on the Department's implementation of employee-based paraprofessionals for students with Autism Spectrum Disorder and on proposed revisions to Board Policies 2103 (Career and Technical Education) and 2160 (Special Education and Related Services);
- ☛ Testified on a number of legislative bills and resolutions regarding:
 - appointment of the Superintendent by the Governor,
 - appointment of Board of Education members by the Governor,
 - establishing a minimum number of instructional school hours/days in a school year,
 - using Rainy Day funds to maintain important services such as respite care,
 - establishing a working group to improve awareness and evaluation of dyslexia in school age students,
 - restoring instructional days (lost to furloughs) for the SY 09-10, and
 - setting a consistent age limit for both special education and general education high school students;
- ☛ Monitored the Department of Education's budget;
- ☛ Met with the Community Children's Council Legislative Coalition and the Child and Adolescent Mental Health Task Force to set legislative priorities; and
- ☛ Urged the Department of Health to reconsider proposed changes to the Hawaii Early Intervention State Plan that would eliminate many young infants and toddlers at environmental risk from Part C eligibility.

Direction for SY 10-11.

- √ Monitor the reauthorization of the No Child Left Behind Act.
- √ Participate in Chapter 60 training efforts.
- √ Participate on the Working Group for Dyslexia.
- √ Participate on the Private School Task Force.

Due Process Committee

The Due Process Committee was formalized in 2002 to monitor the effect of the transition of responsibility for due process hearings from independent hearing officers to the Administrative Hearings Office of the Department of Commerce and Consumer Affairs. IDEA requires that State Advisory Panels, such as SEAC, be given copies of all due process hearing decisions. The Committee goes beyond mere review to include analysis of dispute resolution options and recommendations for improvement of the overall process.



Mission. The Due Process Committee will review all aspects of dispute resolution in order to make reasonable recommendations to the Department that promote early conflict resolution and, if implemented, may: reduce the number of hearings conducted in Hawai'i, improve school and family relationships, and convert the money and attention currently paid to formal and fixed conflict resolution options into improved learning outcomes for students with disabilities.

Activities of the SY 09-10.

- Participated in the Annual Performance Report work group addressing complaints, due process hearings mediations and resolution sessions,
- Developed and disseminated "Handling Disagreements Early," a brochure for families listing early options for dispute resolution and contact information;
- Reviewed all due process hearing decisions and reviewed data related to State complaints for the SY 08-09; and
- Attended a presentation on the contrasts between mediation and due process hearings.

Direction for SY 10-11.

- √ Review due process hearing decisions for SY 09-10 and relevant data related to alternate dispute resolution options such as mediation and written complaints.
- √ Gather information related to settlement agreements and appeals.
- √ Monitor the impact of Chapter 60 hearing extension restrictions.

Personnel Committee

The Personnel Committee is rooted in the belief that the best way to ensure student achievement is to ensure adequate numbers of highly qualified, highly motivated teachers, therapists and support personnel.



Personnel Committee (cont.)

Mission. The Personnel Committee will research and analyze factors that both negatively and positively impact the availability of well trained, committed teachers, administrators and support personnel to meet the needs of students with disabilities and make recommendations to maximize support to both educators and students.

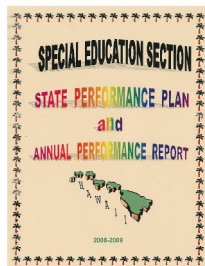
Activities of the SY 09-10.

- ☛ Presented the Assistant Superintendent with a literature review of evidence based co-teaching methodologies that support inclusive education;
- ☛ Invited the Educational Specialist responsible for implementation of Response to Intervention training and follow-up to brief the Council on progress to date; and
- ☛ Researched the requirements to obtain all three levels of paraprofessional positions.

Direction for SY 10-11.

- √ Conduct research or gather information from various universities on preservice training for special education teachers.
- √ Collect data on training and implementation of Response to Intervention.
- √ Collect data on the utilization and training of substitute teachers in special education.

Additional Council Activities



- ☛ Conducted subgroup meetings to analyze data related to the Office of Special Education Program's key indicators and submitted questions and comments online to the State Special Education Section in preparation for the Annual Performance Report Work Group meetings;

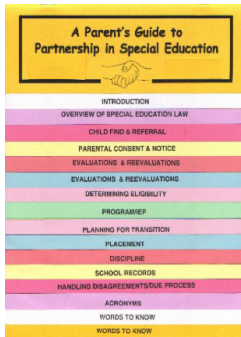
- ☛ Explored options for utilizing internet technologies to conduct on-line meetings of the Council and/or subcommittees;

RTTT

- ☛ Received a briefing from the Assistant Superintendent on Hawaii's second application for Race to the Top funding; and

- ☛ Received a briefing on the Part C Cost Study conducted by Jean Johnson for the Early Intervention Section.

Additional Directions for SY 10-11



√ Finalize revisions to the Parent Guide to Partnership in Special Education once Chapter 60 guidelines are completed.

√ Establish quarterly meetings with the Interim Superintendent to update her on Council activities and receive guidance on how the Council can support Department initiatives.

√ Participate in the OSEP Part B Monitoring visit tentatively scheduled for October 2011.

√ Participate in Annual Performance Report Work Groups for the 09-10 APR.

√ Create a standing agenda item for APR issues at each Council

Schedule of Meetings for SY 10-11

SEAC Meetings are typically held on the 2nd Friday of the month except June and July. Some adjustments to the meeting dates have been made due to holidays and furloughs:

August 13, 2010

September 10, 2010

October 7, 2010 (Thursday)

November 12, 2010

December 9, 2010 (Thursday)

January 13, 2011 (Thursday)

February 11, 2011

March 10, 2011 (Thursday)

April 8, 2011

May 13, 2011



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