

## SEAC

# Special Education Advisory Council 919 Ala Moana Blvd., Room 101 Honolulu, HI 96814

Phone: 586-8126 Fax: 586-8129 email: spin@doh.hawaii.gov

March 17, 2015

#### **Special Education Advisory Council**

Ms. Ivalee Sinclair, *Chair* Ms. Martha Guinan. *Vice Chair* 

Ms. Brendelyn Ancheta

Dr. Tammy Bopp

Dr. Robert Campbell

Ms. Deborah Cheeseman

Ms. Annette Cooper

Ms. Shari Dela Cuadra-Larsen, liaison to the Superintendent

Ms. Gabriele Finn

Ms. Jenny Gong

Ms. Natalie Haggerty

Ms. Barbara Ioli

Ms. Valerie Johnson

Ms. Deborah Kobayakawa

Ms. Bernadette Lane

Ms. Dale Matsuura

Ms. Stacey Oshio

Ms. Zaidarene Place

Ms. Barbara Pretty

Ms. Kau'i Rezentes

Ms. Rosie Rowe

Dr. Patricia Sheehey

Mr. Tom Smith

Ms. Lani Solomona

Dr. Todd Takahashi

Dr. Daniel Ulrich

Dr. Amy Wiech

Ms. Cari White

Ms. Jasmine Williams

Ms. Susan Wood

Amanda Kaahanui, Staff Susan Rocco, Staff Mr. Don Horner, Chair Hawaii State Board of Education P. O. Box 2360 Honolulu, HI 96804

RE: VII. D. Board Action on authorization of Department of Education to negotiate and execute the renewal and revision of ESEA Flexibility from No Child Left Behind ("NCLB")

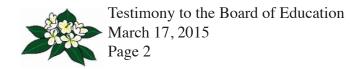
Dear Chair Horner and Members of the Board,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), supports the Department's request to execute a renewal and revision of its ESEA Flexibility Waiver. However, we request that additional assurances be included in the revision to ensure accountability for the achievement of students with disabilities.

SEAC expressed concern in its comments to the Department's initial waiver application in 2012 over the creation of a High Needs Group. We feared both then and now that aggregating subgroups can mask uneven performance among the individual groups--students with disabilities, students who are English Language Learners, and students who are disadvantaged.

Students with disabilities account for about 10.5% of students in all grades. For most public school campuses, students who are disadvantaged make up a much larger percentage of the student body. Additionally, their performance on statewide assessments is significantly higher than students with disabilities. In SY 13-14, disadvantaged students were 59% proficient in reading compared to only 21% proficiency for special education students.

This inequity in population size and performance can lead to potential skewing of StriveHI school rankings. For example, Mokapu Elementary was awarded Recognition School status in SY 13-14, despite the fact that only 12% of special education students were



proficient in reading compared to 84% proficiency in the overall student population. Mokapu also had a Two Year Gap Reduction Rate of 23%, while special education reading proficiency was down almost ten percentage points from 2012-13.

SEAC was assured by the Department in November 2013 that STRIVE HI is maintaining accountability for special education achievement. At the same time, we are painfully aware that special education student achievement is woefully behind the achievement of non-disabled students and virtually flat-lined over a number of years. Our problem with the current accountability system is two-fold:

- reform efforts have left special education students largely untouched, and
- the STRIVE HI system appears less than transparent when reporting the performance of students with disabilities.

We respectfully request that the Department make some adjustments to its waiver renewal to address these concerns. Thank you for the opportunity to provide testimony on this issue. If you have any questions, I would be happy to answer them.

Respectfully,

Ivalee Sinclair, Chair

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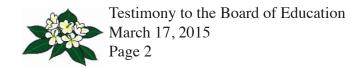
RE: VII. E. Board Action on Human Resources Committee recommendation re: Department of Education's request for Board authorization to commence a reduction in force of classified employees pursuant to collective bargaining agreement provisions

Dear Chair Horner and Members of the Board,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), expresses our strong opposition to the Department's request for Board authorization to commence a reduction in force (RIF) as it relates to classified employees providing special education and related services to students with disabilities. SEAC would also like to express our concern related to the Department's willingness to reduce support to students with disabilities.

The Department's informational materials for this General Business Meeting cite a primary reason for authorizing a RIF eliminating positions as "reductions in Special Education allocations due to changes in Special Education student needs." However, when budget restrictions were proposed, the Department justified a reduction in special education funding citing salary savings from UNFILLED special education classified positions, not changes in student needs. The Department's proposed restriction of special education funds by \$9 million for SY 14-15 was cut to \$4.9 million after community testimony.

The Department promised SEAC and the Board of Education that despite the restrictions, requests to fill needed special education positions would be honored, at the same time efforts would be made to address the causes of unfilled special education classified positions. This chronic shortage of positions negatively impacts students'



with disabilities access to a free and appropriate public education. SEAC has recently received information indicating school level requests for additional classified positions go unanswered.

We are at a loss to understand the source of the proposed Special Education Allocation reduction, as both the Executive Biennium Budget and Executive Supplemental Budgets anticipate the same number of positions and an actual increase in SY15-16 in the number of student with disabilities requiring support. In fact, the number of students with disabilities has remained fairly constant from SY11-12 through SY14-15.

As you may not be aware, the academic performance of students with disabilities on any measure of the Department's StriveHI school improvement system is well below that of other student groups. Additionally the Department has historically struggled to recruit and retain qualified individuals, classified and certificated, to provide educational services to students with disabilities. A possible RIF of classified staff will only further exacerbate the problem.

We urge you to reconsider the recommendation of the Department given the negative impact on students with disabilities. Thank you for the opportunity to testify on this important matter. Should you have questions or concerns, you are welcome to contact me.

Respectfully, Inclu Smiles

Ivalee Sinclair, Chair