



**S E A C**  
**Special Education Advisory Council**  
919 Ala Moana Blvd., Room 101  
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Phone: 586-8126 Fax: 586-8129  
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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  
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Ms. Kau'i Rezentes  
Ms. Rosie Rowe  
Dr. Patricia Sheehey  
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Dr. Daniel Ulrich  
Dr. Amy Wiech  
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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'



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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,

Ivalee Sinclair, Chair