



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

November 3, 2015

TO: The Honorable Patricia Halagao
Chairperson, Committee on Student Achievement

FROM: Kathryn S. Matayoshi
Superintendent

SUBJECT: **Committee Action on Board of Education Policy 500.18,
Summer School**

1. RECOMMENDATION

The Department of Education (Department) is recommending revisions to a set of student achievement-related policies, which were a part of the Board of Education's policy audit process for which there was a Permitted Interaction Group (PIG) which proposed amendments to current board policies. Policy 500.18 was among the list of policies was noticed at the October 6, 2015 Student Achievement Committee (SAC) meeting.

The Department recommends that SAC approve proposed Board Policy 500.18, Summer School (Exhibit A). The recommended changes incorporate changes proposed by the PIG and identified during Department review, including consideration of testimony from the Special Education Advisory Council of Hawaii (SEAC) and feedback from the Attorney General's office. The recommended changes:

- Provide consistency with current practice of determining whether summer school is provided which is not dependent on 125 students' interest;
- Expand purpose of summer school to include academic acceleration which is a common motivation for students to take summer school;
- Update language regarding regulations and procedures;
- Remove reference to specific provisions related to special education students which implied separate summer school experiences for special education students; and
- Add a rationale from the Extended Learning Opportunity policy.

2. RECOMMENDED EFFECTIVE DATE

The Department recommends that SAC approve the policies as described in section 1.0, with immediate effective and compliance dates, as the policy revisions do not have a change in impact on current school, complex area, or state office activities.

3. RECOMMENDED COMPLIANCE DATE (if different from the effective date)

See section 2.0

4. DISCUSSION (if different from the effective date)

a. Conditions leading to the recommendation

The Department used a cross-office strategy to review and, where applicable, provide proposed revisions to the policies listed above. The proposed Department revisions provide additional consistency in language and references to be current and/or to bring the policies up to date with current implementation status. Also, the Department reviewed testimony provided at previous board meetings and advice to the board from the Attorney General's office.

Specifically, the Department addressed SEAC's recommendations in the following manner:

- Addresses SEAC's concern that the policy references "district superintendents" by replacing the language with "superintendent or the superintendent's designees(s)"; and
- Applies SEAC's recommendations to eliminate the distinction between "regular" and "special education" summer school programs.

b. Previous action of the Board on the same or similar matter

On May 19, 2015, the Finance and Infrastructure Committee (FIC) recommended approval of the policy, with amendments pursuant to testimony from SEAC. Subsequently, on June 16, 2015, the general board referred the policy to the Student Achievement Committee.

c. Other policies affected

No other policies are affected, at this time.

d. Arguments in support of the recommendation

The Department's recommendations for changes to the policy are substantive, compared with the version previously approved by FIC. These substantive changes address concerns raised by SEAC in testimony as well as advice from the Attorney General's office. The changes are an improvement since they eliminate the policy requirement to consider offering summer school programs separately for "regular summer school" and "special education summer school." The changes are consistent with current practice and are not anticipated to change the impact of the policy for schools.

e. Arguments against the recommendation

Many in the community would like summer school to be offered consistently in more schools. The current and proposed policies are permissive, allowing but not requiring that summer school be offered. Since summer school is paid for by fees or grants, not state funds, it is not feasible to require that schools offer a summer school program. However, each year, most secondary schools offer a summer school program and at least one elementary school in a complex offers a summer school.

The policy does not reference Extended School Year (ESY) services for special education students. The Department reviewed the feedback from SEAC and determined that the Summer School policy should remain focused on summer school supports for all students, broadly and that special education students receiving ESY services over the summer may participate in summer school if determined by their Individualized Education Program (IEP) as appropriate. However, ESY services apply more broadly than to summer and are required to be offered to students who have ESY included in their IEP. Therefore, it is not appropriate to include reference to ESY in the summer school policy since summer school programs are not consistently offered in each school.

f. Other agencies or departments of the State of Hawaii involved in the action

No other agencies or departments of the State of Hawaii are involved in this action.

g. Possible reaction of the public, professional organizations, unions, DOE staff and/or others to the recommendation

Possible reactions are described in section 4.e of this memo.

h. Educational implications

No changes are anticipated since these revisions maintain the substance and intent of current policies, while aligning them to current practice and addressing minor copyedits.

i. Personnel implications

No personnel implications identified, at this time.

j. Facilities implications

No facilities implications identified, at this time.

k. Financial implications

No financial implications identified, at this time.

5. OTHER SUPPLEMENTARY RECOMMENDATIONS

No supplemental recommendations, at this time.

TOC:SS:la

Attachment: Exhibit A – Proposed Policy 500.18

c: Office of Strategy, Innovation and Performance

POLICY 500.18

SUMMER SCHOOL PROGRAMS

[POLICY]

[1. Regular Summer School Programs]

Summer school programs [~~shall be organized and conducted to meet the needs of students when 125 or more students indicate interest in attending summer school. Such programs~~] may be organized and conducted at the discretion of the [~~district~~] superintendent or the superintendent's designee(s). [~~when less than 125 students indicate interest in attending summer school.~~] Summer school programs are to be conducted to provide students with academic enrichment, acceleration and/or remediation [~~remedial and enrichment~~] experiences, or [~~and~~] for such other purposes, as determined by the Department. [~~as may be approved in regulations-resolutions adopted by the Board of Education.~~]
The Department shall establish procedures for summer school.

[2. Special Education Summer School Programs]

Summer school programs shall be organized and conducted to meet the needs of handicapped students ~~with mental or physical challenges~~ when ~~there are a~~ sufficient number of students who indicate interest in attending summer school ~~to organize special education summer classes in that organization of such programs is feasible in~~ accordance with established rules, regulations, and procedures.]

Rationale: Summer school provides an extended learning opportunity for students to have additional time and/or differentiated learning opportunities to demonstrate academic proficiency, foster innovation and creativity, and challenge students to achieve beyond the minimum requirements for graduation.

Former Code No. 6154

Policy Approved: 6/60; Amended: 10/70, 3/77, 3/88

BOLD (Blue) = PIG edits

Italics = Department edits