

**STATE OF HAWAII
BOARD OF EDUCATION**

P.O. BOX 2360
HONOLULU, HAWAII 96804

December 5, 2019

TO: Student Achievement Committee

FROM: Margaret Cox
Chairperson, Student Achievement Committee

AGENDA ITEM: Committee Action on Department recommendations regarding policy changes to ensure board policies support the recommendations of the Special Education Task Force's 2018 summative report and the English Learners Task Force's 2018 summative report: Revisions to Board Policy 105-13, Inclusion and new Board policy on English learners

I. BACKGROUND

At its July 18, 2019 general business meeting, the Board of Education ("Board") adopted committee strategic priorities for the 2019-2020 school year. Among the adopted priorities, the Student Achievement Committee ("Committee") is to "ensure Board policies under [the Committee's] jurisdiction support the recommendations provided in the Special Education Task Force's 2018 summative report and the English Learners Task Force's 2018 summative report." The following indicators will determine the Committee's success in achieving this priority:

- By March 5, 2020, the Committee will thoroughly review Board Policies 105-12, 105-13, 105-14, 900-5, and any other relevant Board policies and generate a comprehensive report that adequately describes any policy changes necessary to support the taskforce recommendations.
- By May 7, 2020, all (100%) taskforce members, who represent key stakeholders for their respective areas, will agree that the recommendations in the Committee's report support the taskforce recommendations.
- By May 7, 2020, the Board will adopt all (100%) policy changes recommended by the Committee.

The Department of Education (“Department”) presented the Special Education Task Force and English Learner Task Force findings and recommendations at the Board’s May 17, 2018 general business meeting. The recommendations in the Special Education Task Force’s summative report¹ relevant to the Committee’s jurisdiction include, but are not limited to:

- Articulating a shared vision of inclusive education;
- Building consistency of the inclusion placement calculation; and
- Improving data collection and monitoring practices.

The recommendations in the English Learners Task Force’s summative report² relevant to the Committee’s jurisdiction include, but are not limited to:

- Developing common understanding among educators of effective implementation for existing English learner services;
- Implementing bilingual programs; and
- Strengthening state, complex area, and school partnerships with community-based organizations to support parents and families.

At its August 1, 2019 Student Achievement Committee (“Committee”) meeting, the Committee adopted a work plan and timeline to achieve the aforementioned priority where the Department provides significant supports and Committee directs and reviews this work. Under this work plan, the Committee tasks the Department with reviewing Board policies, determining how existing policies support or do not support the taskforce recommendations, and recommending new or amended policies to better support the taskforce recommendations. The Committee oversees the Department’s work and provides direction as necessary. The Committee reviews any recommendations from the Department and determines the proposed policy changes to incorporate into the Committee’s report.

The Committee also adopted the following timeline at the August 1, 2019 Committee meeting. The row highlighted in yellow describes the tasks that are scheduled to be completed today.

¹ The Special Education Task Force’s summative report is attached to Superintendent Christina Kishimoto’s memorandum dated May 17, 2018, available here: http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/GBM_05172018_Presentation%20on%20Findings%20of%20Superintendent%27s%20Sped%20Task%20Force%20and%20Recommendations.pdf

² The English Learners Task Force’s summative report is attached to Superintendent Christina Kishimoto’s memorandum dated May 17, 2018, available here: http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/GBM_Agenda%20V_05172018_Presentation%20on%20findings%20of%20Superintendent's%20English%20learner%20task%20force.pdf

Date	Activity
August 1, 2019 Committee Meeting	<p>Committee tasks the Department with:</p> <ul style="list-style-type: none"> • Reviewing all Board policies with special attention to the policies referenced in this memorandum; • Determining and explaining to the Committee how existing policies support or do not support Special Education Task Force and English Learner Task Force recommendations; and • Recommending to the Committee new or amended Board policies to better support the taskforce recommendations.
August-September, 2019	The Superintendent assigns the appropriate Department personnel, and the Department begins identifying and reviewing all Board policies and any other policies, rules, regulations, or guidelines that affect or could affect implementation of the taskforce recommendations.
September 5, 2019 Committee Meeting	The Department presents a list of identified Board policies it will review and a timeline for making recommendations to the Committee. The Department also presents a list of other policies, rules, regulations, or guidelines that affect or could affect implementation of the taskforce recommendations and whether the Board has jurisdiction over them.
October 3, 2019 Committee Meeting	Possible update or recommendation from the Department, depending on its timeline.
November 7, 2019 Committee Meeting	Possible update or recommendation from the Department, depending on its timeline.
December 5, 2019 Committee Meeting	Possible update or recommendation from the Department, depending on its timeline.
February 6, 2020 Committee Meeting	The Department presents its final recommendations to the Committee for consideration. The Committee decides on the recommendations to include in its report.
March 5, 2020 Committee Meeting	The Committee adopts a report with proposed policy changes to support the taskforce recommendations and provides it to the members of the taskforces for review and comment.
April 2, 2020 Committee Meeting	The Committee considers comments from the taskforce members and, if necessary, revises its report and recommendations.
May 7, 2020 Committee Meeting	The Board considers the Committee's report and acts on its recommendations.

At its September 5, 2019 meeting, the Department presented a list of identified Board policies the Department will review; a timeline that the Department will follow to make recommendations to the Committee; and a list of other policies, rules, regulations, or

guidelines that affect or could affect implementation of the taskforce recommendations and whether the Board has jurisdiction over them.

Attached as **Exhibit A** is a memorandum from the Department, which is intended to provide the Committee with all of the information that it needs to complete the task associated with SAC Strategic Priority 1. The memorandum includes:

- A list of identified Board policies the Department reviewed;
- Recommended changes to existing Board Policy 105-13, Inclusion; and
- Recommended new Board policy on English learners.

Exhibit A

November 15, 2019 Memorandum from Assistant Superintendent Heidi Armstrong regarding
SAC Strategic Priority 1




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

OFFICE OF STUDENT SUPPORT SERVICES

November 15, 2019

TO: The Honorable Margaret Cox
Chairperson, Student Achievement Committee

FROM: Heidi Armstrong 
Assistant Superintendent

SUBJECT: **BOE IOU 473: SAC Strategic Priority 1 (Policy Recommendations)**

This memorandum is in response to your request dated September 5, 2019, regarding the review of all Board of Education (BOE) policies and any other policies, rules, regulations, or guidelines, with respect to human resources, that could affect implementation of the task force recommendations from the Special Education and English Learners (EL) Task Forces for BOE Strategic Priority 1.

The Office of Student Support Services (OSSS) has reviewed the following BOE policies with respect to the recommendation of the Special Education Task Force:

Book mark	BOE Policy No.	BOE Title	Contact	Recommends Policy Language Change (Y/N)
1	900-5	Rights of Students who are Deaf, Hard-of-Hearing, or Deaf-Blind	Debra Farmer	N
2	101-7	School Climate and Discipline	Debra Farmer	N
3	101-14	Family and Community Engagement/Partnership	Debra Farmer	N
4	105-12	Special Education and Related Services	Debra Farmer	N
5	105-13	Inclusion	Debra Farmer	Y
6	E-200	Staff Success	Debra Farmer	N
7	E-201	High Performing Employees	Debra Farmer	N

Book mark	BOE Policy No.	BOE Title	Contact	Recommends Policy Language Change (Y/N)
8	E-202	Highly Effective School Administration (Strong, Visible School Leadership)	Debra Farmer	N
9	E-203	Highly Effective Teaching	Debra Farmer	N
10	E-203-2	Developmentally-Appropriate Teaching Strategies	Debra Farmer	N
11	E-304	Communications (Family and Community Engagement)	Debra Farmer	N

• **Special Education Policy Recommendations**

105-13: Inclusion	
Reason for Policy Language Change(s)	Recommended Policy Language with Track Changes
<p>The May 2018 Special Education Task Force recommends the development of a statewide vision and framework of practices on inclusive education. This work has been completed by the Exceptional Support Branch and is reflected in the recommended revisions.</p> <p>The existing policy statement (Attachment A) is attached for the committee's convenience.</p>	<p>All decisions regarding the appropriate education for students with disabilities, 3 to 22 years of age, shall be based upon their Individualized Education Program consistent with applicable federal and state laws. The appropriate inclusion of students with disabilities in regular classroom environments requires:</p> <ol style="list-style-type: none"> 1. Strong and actively engaged school leadership committed to equity and excellence in teaching and learning. 2. A positive school climate and culture where everyone feels like they belong, barriers are removed, to promote continued student success. 3. A continuum of research-based, system-wide practices of data-informed decision-making, and implementation of evidence-based practices. 4. Staffing and student decision-making based solely on the strengths and needs of the student. 5. School design that encourages and supports opportunities for all students. 6. Dedicated time and support to be provided for effective collaboration among all educators. 7. A culture where families, community members, and school partnerships support and sustain equity and excellence within the school. <p>1. The participation of all members of the child's educational team.</p> <p>— Appropriate staffing, adequate planning time, resources, and supports necessary to maintain a</p>

	<p>student in the least restrictive setting. This includes support and training for special education and general education teachers.</p> <ol style="list-style-type: none">3. The development and dissemination of multiple teaching and learning techniques and strategies that support collaboration and the provision of educational services to accommodate the strengths and needs of students with disabilities and promote relevant learning experiences; meaningful relationships and mutual respect.4. Recognition of the needs of all children in the classroom.5. Maximum possible cooperation between the home and the school. <p>Rationale: The BOE believes that all students can and want to learn. The inclusion of students with disabilities in a regular classroom environment helps students of all ability levels learn together in the same classroom. This can only be achieved when all students are accepted members of their school community, and where students with disabilities have equal access to and successfully engage in the same educational environment with the same learning opportunities as their non-disabled peers; and requires only that the student with a disability benefits from being in the class.</p> <p>Inclusion is defined as the provision of education to each student with a disability with support services in the school or classroom they would otherwise attend to the maximum extent appropriate and in the manner which benefits the student with a disability.</p>
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There are no new policy recommendations at this time.

The OSSS has reviewed the following BOE policies with respect to the recommendation of the English Learner Task Force:

Book mark	BOE Policy No.	BOE Title	Contact	Recommends Policy Language Change (Y/N)
1	101-14	Family Community Engagement	Yvonne Humble	N
2	105-14	Multilingualism for Equitable Education	Yvonne Humble	N
3	105-15	Seal of Biliteracy	Yvonne Humble	N
4	E-200	Staff Success	Yvonne Humble	N
5	E-201	High Performing Employees	Yvonne Humble	N
6	E-202	Highly Effective School Administration (Strong, Visible School Leadership)	Yvonne Humble	N
7	E-203	Highly Effective Teaching	Yvonne Humble	N
8	203-2	Developmentally Appropriate Teaching Strategies	Yvonne Humble	N
9	204-3	Personnel Development	Yvonne Humble	N
10	303-1	Department of Education Budgets	Yvonne Humble	N
11	E-304	Communications (Family and Community Engagement)	Yvonne Humble	N

- **English Learner Policy Recommendations - None**

- **New Policy Recommendations**

It is recommended that the BOE Student Achievement Committee (SAC) consider the proposed English Learner policy to fully support the EL Task Force Recommendations and applicable Civil Rights laws. The proposed policy statement (Attachment B) is attached for the committee's consideration.

Please contact Heidi Armstrong, Assistant Superintendent, Office of Student Support Services, at (808) 305-9750, if you have any questions.

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Attachments

c: Office of Student Support Services

POLICY 105-13

INCLUSION

All decisions regarding the appropriate education for students with disabilities, for students 3 year to 22 years of age, shall be based upon their Individualized Education Program consistent with applicable federal and state laws. The appropriate inclusion of students with disabilities in regular classroom environments requires:

1. The participation of all members of the child's educational team.
2. Appropriate staffing, adequate planning time, resources, and supports necessary to maintain a student in the least restrictive setting. This includes support and training for special education and general education teachers.
3. The development and dissemination of multiple teaching and learning techniques and strategies that support collaboration and the provision of educational services to accommodate the strengths and needs of students with disabilities and promote relevant learning experiences, meaningful relationships and mutual respect.
4. Recognition of the needs of all children in the classroom.
5. Maximum possible cooperation between the home and the school.

Rationale: The Board of Education believes that all students can and want to learn. Inclusion of students with disabilities in regular classroom environment help students of all ability levels learn together in the same classroom. Inclusion is defined as the provision of education to each student with a disability with support services in the school or classroom they would otherwise attend to the maximum extent appropriate and in the manner which benefits the student with a disability.

[Approved: 05/03/2016 (as Board Policy 105.13); amended: 06/21/2016 (renumbered as Board Policy 105-13)]

Former policy 2280 history: approved: 12/1995; amended: 02/16/2006

Proposed Board Policy

English Learners (EL)

The Department of Education (Department) shall be responsible for the provision of equal access to educational opportunities for all English Learner (EL) students in order that they may fully realize their potential as responsible, contributing, and productive members of a democratic, multicultural society.

The Department shall provide appropriate services to EL students and be responsible for developing rules, guidelines, and/or procedures to implement the goals set forth below:

1. Provide meaningful access to all educational opportunities, English language development, and academic content.
2. Support students in attaining the same State academic content and student achievement standards expected for all students.
3. Ensure students graduate with the language, knowledge, and skills to pursue post-secondary education and careers.
4. Develop an understanding and appreciation for diverse cultures.
5. Engage parent(s)/legal guardian(s) and families in the education of their children.

The Department shall ensure that all professionals providing EL services possess qualifications to meet the unique needs of these students.

Rationale: EL students are entitled to equal access to education regardless of their ethnicity or national origin. The adoption of this policy will require compliance with federal law (Equal Protection Clause of the 14th Amendment, Title VI, Civil Rights Act of 1964; the No Child Left Behind Act of 2002; the May 25, 1970 Memorandum - Department of Health, Education, and Welfare; and the Equal Educational Opportunity Act of 1974; among others).