



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
919 ALA MOANA BOULEVARD, ROOM 113
HONOLULU, HAWAII 96814
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 25, 2011

The Honorable David Y. Ige, Chair
The Honorable Michelle N. Kidani, Vice Chair
Senate Committee on Ways and Means
Twenty-Sixth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Senators Ige and Kidani and Members of the Committee:

SUBJECT: SB 1284 SD1 – RELATING TO EDUCATION

The State Council on Developmental Disabilities (DD) **SUPPORTS SB 1284 SD1**. The purpose of the bill is to amend Section 302A-443, Hawaii Revised Statutes, to allow the Department of Education (DOE): 1) access to monitor students with disabilities who are placed at DOE's expense at private special education schools or placements; and 2) the authority to set reasonable rates for the placement of students at private special education schools and placements.

The Council believes that it is important to allow DOE access to monitor students with DD placed at the expense of the DOE as is currently required per Chapter 302A-443, Hawaii Revised Statutes. SB 1284 SD1 provides greater detail as to the extent to which DOE would be able to monitor the private school placement of a student and authorizes DOE to withhold payment to any private school or placement that restricts or denies monitoring of students under this measure.

The Council supports the amendments made in SD1 that:

1. Clarify that DOE shall have authority to monitor any child eligible to receive special education and related services who is placed in a private school or placement;
2. Expand the definition of "monitoring" to include direct observation of the student, review of student records, and to talk with the student's teacher at the private school or placement;
3. Require DOE to pay only for private school or placement services that are specified in a student's Individualized Education Program; and
4. Require private schools or placements to provide DOE with a student's records within three business days of a request for such records.

The Honorable David Y. Ige, Chair
The Honorable Michelle N. Kidani, Vice Chair
Page 2
February 25, 2011

Thank you for your consideration and the opportunity to submit comments in support of SB 1284 SD1.

Sincerely,



Liz Ann Salvador
Chair



Waynette K.Y. Cabral, MSW
Executive Administrator

Date of Hearing: February 25, 2011

Committee: Senate Ways and Means

Department: Education

Person Testifying: Lea E. Albert, Complex Area Superintendent, Castle-Kahuku Complex

Title: S.B. No. 1284, SD 1 Relating to Education

Purpose: To allow the Department of Education (DOE) (1) access to monitor students with disabilities who are placed, at the Department's expense, at private special education schools or placements; and (2) the mechanism to set reasonable rates for the placement of students at private special education schools or placements.

Department's Position: I fully support this Bill as amended by the Senate Education Committee in S.D. 1 in its ability to help the DOE monitor students who are placed in private special education "schools" or placements at the DOE's expense, either through a decision made by a hearing officer or a court decision. The amendments made to this bill will allow the DOE to be accountable for the public funds that are paid for private special education placements through monitoring. Additionally, this bill as amended will require private special education "schools" and placements who accept students at public expense to charge the DOE the same tuition, rates, and fees as they charge parents who unilaterally place their children at these placements. The law in current form does not regulate the conduct

and ensuring that those dollars are spent effectively, efficiently on quality services and education for students in the least restrictive environment. Again, the DOE is prevented in many cases by private special education “schools” and placements from monitoring whether or not quality education and services, which result in true progress, are being provided. This is at the expense of taxpayers but most of all it is at the expense of children. This constitutes what I believe to be a violation of the public’s trust. Please consider and pass this bill as amended by S.D. 1 to become law so that Hawaii can properly care and educate our most *vulnerable* keiki.



KAMEHAMEHA SCHOOLS

Testimony to the Senate Committee on Ways and Means
Hearing Date: Friday, February 25, 2011
9:00 a.m. – Conference Room 211

Kalei Kailihiwa
Director, Ho'olako Like
Kamehameha Schools

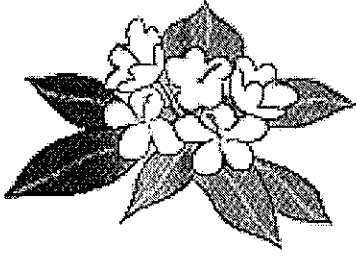
Good afternoon Chair Ige, Vice Chair Kidani and members of the Senate Committee on Ways and Means. My name is Kalei Kailihiwa Director of Ho'olako Like of Kamehameha Schools. Thank you for this opportunity to testify in support of SB 1174 SD1 which establishes a funding formula for charter school facilities.

Kamehameha Schools supports promoting the achievement and success of Hawaii public school students and, as such, has been a collaborator with the Hawaii public charter schools for over eight years. As part of our Education Strategic plan, KS hopes to significantly impact more Hawaiian children ages 0-8 and grades 4-16+, and their families/ caregivers over the next five years, in collaboration with others whenever possible.

Currently, Kamehameha Schools works with 13 nonprofit tax-exempt organizations, including 'Aha Punana Leo, OHA, KALO and Ho'okako'o Corporation, to assist a total of 14 start-up and 3 conversion charters with special projects, professional development, and technical assistance.

Kamehameha Schools believes that these efforts provide more positive educational choices and ultimately enhances academic achievement and greater school engagement for Hawaiian students. Through these collaborations, Kamehameha Schools currently assists more than 3,800 students in eleven communities on 4 major islands, within the public education system.

In summary, supporting and replicating the successful strategies found in Hawaiian-focused charter schools is a good way to invest in education that has potential benefits for the entire public school system.



S E A C
Special Education Advisory Council

919 Ala Moana Blvd., Room 101

Honolulu, HI 96814

Phone: 586-8126 Fax: 586-8129

email: spin@doh.hawaii.gov

February 24, 2011

**Special Education
Advisory Council**

Ms. Ivalee Sinclair, *Chair*
Ms. Barbara Pretty, *Acting
Vice Chair*

Ms. Brendelyn Ancheta
Ms. Sue Brown
Ms. Deborah Cheeseman
Ms. Annette Cooper
Ms. Phyllis DeKok
Ms. Mary Ellis
Ms. Debra Farmer
Ms. Gabriele Finn
Dr. David Fray
Ms. Martha Guinan
Mr. Henry Hashimoto
Dr. Martin Hirsch
Ms. Tami Ho
Ms. Barbara Ioli
Ms. Bernadette Lane
Ms. Shanelle Lum
Ms. Rachel Matsunobu
Ms. Kristy Nishimura
Ms. Sue Pyun
Ms. Kau'i Rezentes
Ms. Melissa Rosen
Dr. Patricia Sheehey
Mr. August Suehiro
Ms. Cari White
Ms. Jasmine Williams
Mr. Duane Yee
Ms. Carol Young

Jan Tateishi, Staff
Susan Rocco, Staff

Senator David Y. Ige, Chair
Senate Committee on Ways and Means
State Capitol
Honolulu, HI 96813

RE: SB 1284, SD 1 – RELATING TO EDUCATION

Dear Chair Ige and Members of the Committee,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), supports SB 1284, SD1 which proposes to amend Section 302A-443 of the Hawaii Revised Statutes to authorize the Department of Education to monitor students with disabilities who are placed at private schools or placements at the Department's expense.

SEAC has been proactive in offering amendments to the original SB 1284 as part of the Task Force on Private School Placements. We believe the language in SB 1284, SD 1 is both appropriate and sufficiently specific to ensure that the Department of Education is able to provide federally mandated monitoring of private school students in publicly funded placements.

Should you have any questions, please feel free to contact me.

Sincerely,

Ivalee Sinclair, Chair