

# SB2588

Measure Title: RELATING TO SPECIAL EDUCATION.

Report Title: Department of Education; Special Education; Appropriation (\$)

Description: Provides special education teachers with additional preparation time and funds for instructional materials. Makes appropriation.

Companion: [HB2537](#)

Package: None

Current Referral: EDU, WAM

Introducer(s): KIDANI, GALUTERIA, HARIMOTO, NISHIHARA, SHIMABUKURO, Dela Cruz



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

**Date:** 02/10/2016  
**Time:** 01:15 PM  
**Location:** 229  
**Committee:** Senate Education

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Bill:** SB 2586 RELATING TO EDUCATION.

**Purpose of Bill:** Requires the department of education to provide public school students with a whole child education curriculum, air conditioning in certain classrooms, and decrease class size. Requires sufficient allocation of special education teachers and provides special education teachers with additional preparation time and funding. Establishes the student loan subsidy program and special fund. Expands vocational, technical, and career pathway programs. Amends weighted student formula factors to be considered by the committee on weights. Limits participation in standardized tests, prohibits the use of standardized test scores for evaluation purposes, authorizes standardized testing exemptions, and requires the board of education to provide notice of the right to opt-out of standardized testing. Requires all eligible children to attend preschool by the 2020-2021 school year. Amends evaluation program for teachers and educational officers. Increases the general excise tax. Makes appropriations.

**Department's Position:**

The Department of Education offers COMMENTS on S.B. No. 2586, S.B. No. 2587, S.B. No. 2588, S.B. No. 2589, S.B. No. 2590, S.B. No. 2591, S.B. No. 2592, S.B. No. 2593, S.B. No. 2594, S.B. No. 2595, S.B. No. 2596, S.B. No. 2597, S.B. No. 2598, and S.B. No. 2599.

**Overall Comments**

The Department of Education's (Department) vision is that our students are educated, healthy, and joyful lifelong learners who contribute positively to our community and global society. To achieve this goal, our schools and educators need the proper tools and resources.

We support initiatives aimed at improving working conditions for teachers and educational opportunities for students. In 2004, the Legislature established the "Reinventing Education Act," allowing schools the autonomy and responsibility to allocate school-based budgets to support school-identified programs and priorities, whether it be hiring more staff or purchasing supplies and materials. And, it empowered schools to make the best decisions to fit the needs of its students and communities.

Over the last decade school funding levels have not kept up with our education costs. Nevertheless, our public schools have made significant strides that have not gone unnoticed by the U.S. Department of Education and other national organizations. Attendance has improved, students are progressing and achieving more, and more students are going to college. This is a testament to the dedication of our educators and students, as well as other community leaders and partners.

The measures before you address many important aspects of education – curriculum, assessments, staffing, facilities, class size, funding, etc. However, respectfully, the Department is concerned that the crafted language, such as providing specific types of teachers for schools or a one-size-fits-all approach to instructional time or class size, detracts from school-level decision making and also circumvents the appropriate participants and venues for these conversations. Such a proposal would hinder the progress made by school leadership teams or School Community Councils, the collective bargaining process, the Board of Education which sets the policy direction for the Department, and principals and teachers in collaboration with Department leadership.

We welcome continued support from HSTA and the Legislature for additional resources for public education as well as the Department's budget priorities, as set out in the Executive Budget request. Adequate funding for our students helps to ensure a quality education that they deserve, and need, to prepare to be contributing members in our community and global society. Teachers have the most impact in ensuring a quality education. It's important that they have the support, the right tools, and the best facilities to thrive in their profession.

We look forward to working with the Committee and other stakeholders to address the issues raised in these measures.

Specific comments to the parts of the bill are itemized below.

## **Part II. WHOLE CHILD EDUCATION (S.B. No. 2587)**

The Department recognizes the importance of promoting creative thinking, self-directed learning, and cultural understanding, as well as the impact it has upon children's future outcomes and the state's economic growth.

Since 1999, the Department has provided "whole child education" through its K-12 standards-based system which includes the General Learner Outcomes (GLOs). GLOs are the overarching goals and content standards in nine areas including fine arts, social studies, Hawaiian studies, world languages, and physical education. Complex areas and schools have the flexibility to design class offerings that are best suited to their

community.

Additional funding would support increased opportunities and more diverse offerings for students.

Given that a Board of Education policy for whole child education is already in place, the Department respectfully finds S.B. No. 2587 to be unnecessary.

### **Part III. SPECIAL EDUCATION (S.B. No. 2588)**

The Department appreciates the intent of S.B. No. 2588 to provide each teacher with \$1,690 of discretionary funds for instructional materials and equipment and to add additional preparation time for special education (SPED) teachers. This additional preparation time, during which teachers would "not be required to interact with students", would be to complete individualized education programs (IEPs), which are required for each SPED student.

Teachers' preparation time is subject to collective bargaining. Article VI of the current HSTA contract and Department regulations include provisions for preparation periods and that address providing SPED teachers with additional non-student time to work on IEPs and other related SPED duties.

If this measure is adopted, additional funds would be required to either pay SPED teachers for the additional 40 plus hours of additional preparation time, or alternatively, schools would need to establish and hire additional SPED teachers or substitute teachers to cover the instructional time for SPED teachers during the extra preparation period. Because Hawaii's SPED teaching positions are "hard-to-fill," as they are nationwide, creating more positions in order to hire more SPED teachers will not, in the near term, be a solution.

The Department is not opposed to the Legislature appropriating funding for \$1,690 for every SPED teacher to purchase additional instructional materials and equipment, provided that it does not replace or adversely impact priorities as indicated in budget approved by the Board of Education (Board).

Given that teacher preparation time is included in the collective bargaining agreement, the Department respectfully does not support S.B. No. 2588.

### **Part IV. VOCATIONAL EDUCATION (S.B. No. 2589)**

The Department supports the intent of S.B. No. 2589 to expand vocational, technical, and career pathways programs and welcomes additional funding to support career and technical programs, provided that it does not replace or adversely impact priorities as indicated in budget approved by the Board.

Career and Technical Education (CTE) programs (formally known as Vocational and Technical Education) are currently offered in 46 public high schools. In school year 2014-2015, 29,356 students were registered in at least one CTE course and 4,453 seniors had completed a CTE program of study. Also, the Department awards Honors

Recognition Certificates for graduates earning Career and Technical Education Honors or Science, Technology, Engineering and Mathematics (STEM) Honors.

CTE programs are organized under six Career Pathways: Arts and Communication, Business, Health Services, Industrial and Engineering Technology, Natural Resources, and Public and Human Services. The Department currently offers 41 programs of study within the six career pathways framework. Current Board Policy No. 2103 defines Career and Technical Education.

The Department is committed to improving CTE opportunities for students throughout the state. The Department respectfully finds the provisions of S.B. No. 2589 to be unnecessary, as the intent of this bill is currently being implemented.

#### **Part V. FACILITIES (S.B. No. 2590)**

The Department welcomes additional funding for heat abatement and energy efficiency measures. The Department's Ka Hei program is a comprehensive energy and sustainability program designed to provide comfortable learning environments for our students and teachers. One of the key objectives of the program is to reduce costs and energy consumption at all 256 public schools. The Department has made significant progress in working toward the goals of Ka Hei and appreciates the support of the Legislature to further these efforts.

In addition, the Governor announced his plan to air condition 1,000 classrooms by the end of 2016, and is making available GEMS financing. We appreciate his initiative and are moving rapidly to execute his proposal.

#### **Part IV. WEIGHTED STUDENT FORMULA (S.B. No. 2591)**

The Department offers the following comments:

This bill states: "Principals, in consultation with teachers and school community councils, shall expend moneys provided to the principals' school." Section 302A-1124, HRS, currently defines the role of the school community council and mandates a composition that includes teachers.

The new language related to a "superintendent's reserve" states both that the reserve is "to address needs at unique and remote schools," and that "the committee on weights shall make recommendations...for how the reserve should be used." Stating that the reserve is for "unique and remote schools" would be unnecessary if the intent is to allow the committee on weights to determine the criteria for the reserve's use.

The Weighted Student Formula (WSF) reserve was established in school year 2012-2013 based on a committee on weights recommendation that was approved by the Board. A portion of WSF funds are set aside in this reserve to provide supplemental funds to schools that demonstrate a need as combination school (e.g., K-8, 7-12), geographically isolated, has very low enrollment, or is experiencing an extraordinary circumstance. The distribution of these funds is made based on committee on weights-recommended guidelines.



## **Part VII. STANDARDIZED TESTING (S.B. No. 2592)**

Statewide standardized tests provide one valuable source of information on student learning for students, parents, teachers, and educational administrators, but also informs educators and policy-makers about the progress of the education system. Standardized testing is an efficient method for reliably and objectively measuring the academic performance of the over 90,000 students in tested grades and 275 public schools (Department and charter) across the state. Standardized test scores provide one consistent measure, although incomplete, of school and student performance. Thus, all of the Department's accountability systems – for schools, educators, and students - use multiple measures.

Many provisions in this are bill related to testing conflict with federal requirements which are a condition of receiving federal educational support including Title I funds. Despite the elimination of No Child Left Behind, its successor, the Every Student Succeeds Act (ESSA), still requires states to administer a statewide student test and use those test scores to "meaningfully differentiate" schools and identify the lowest-performing. Federal requirements for minimum participation of 95% of students continue under ESSA. And students who have individual needs may receive accommodations on a test based on their IEP, which is informed by their teachers' assessment of their needs. The Department also administers an alternative assessment for students with significant cognitive disabilities and an exemption for the English Language Arts state assessment for students with limited English proficiency who are in their first year in a U.S. school.

The Department understands that instructional time is incredibly valuable for teaching and learning. The Department is continuously reviewing the tests that are required for all students to ensure that they are necessary and valuable. Over the last two years, we have reduced the number of tests that are required. Currently, the number of standardized tests required by the state is at the federal minimum with the exception of grade 11 which is being reviewed.

The Department remains cognizant to minimize the burden on students while balancing the need to support students through measuring achievement and complying with federal requirements. As such, the Department respectfully suggests that S.B. No. 2592 is unnecessary.

## **Part VIII. CLASSROOM SUPPLIES (S.B. No. 2593)**

The Department supports providing teachers with the resources necessary to help our students thrive in the classroom. The Department estimates the fiscal impact to be approximately \$11,900,000 per year using the calculation of \$1,000 per Full Time Equivalent (FTE) positions at schools which total approximately the Department's workforce of 11,100 classroom teachers, 200 libraries, and 600 counselors.

Additionally, there may be some administrative issues that need to be addressed before

implementing such a program through a debit card system, as described in the bill. These administrative considerations include processing, procurement, reconciliation, and workload issues at the school and vendor payment levels.

**Part IX. TEACHER RECRUITMENT AND RETENTION (S.B. No. 2594)**

The Department supports the intent of S.B. No. 2594. Loan subsidies can encourage prospective teachers to contemplate careers in special education, vocational education, technical education, and career pathways.

However, the Department believes the bill may not be necessary. Federal loan forgiveness is already available for teachers in areas the Department has designated as “teacher shortage,” including special education, technical, and vocational education.

Furthermore, the program proposed for teacher recruitment and retention is complex and would be, as a result, administratively burdensome given the Department’s current systems and staffing. The Department anticipates the establishment and maintenance of the program would require substantial resources to fund the incentives and administer the program.

**Part X. EARLY CHILDHOOD EDUCATION (S.B. No. 2595)**

The Department supports efforts to provide opportunities for early childhood education for all of Hawaii’s keiki as it is critical that they enter kindergarten ready to learn. Children deserve the best possible foundation upon which to build success and early childhood education is integral to this foundation. Children are most successful when they enter the public school system prepared with the socio-emotional and pre-academic skills that make them kindergarten-ready.

**Part XI. EVALUATIONS (S.B. No. 2596)**

The Department offers the following comments on S.B. 2596:

The Department recommends maintaining the existing 302A-638, HRS, which was established in 1996 and preceded the current evaluation systems which were negotiated between the State and its unions. The proposed changes should be bargained, as HSTA has previously testified in response to prior year’s efforts to legislate aspects of teachers’ evaluations.

The Department supports the intent of the portion of paragraph (a), which requires the Department to consult with the unions in establishing an evaluation program for teachers and educational officers (EOs), but notes that proposed language is redundant with existing statute and practice. A consultation process is already codified in section 89-9(c), HRS, and in the past, the Department has consulted, and at times negotiated, with Hawaii State Teachers Association (HSTA) and Hawaii Government Employees Association (HGEA) regarding evaluation programs for teachers and EOs.

Many provisions of this measure are currently governed by agreements with HSTA and HGEA.

**Part XII. CLASS SIZE (S.B. No. 2597)**

The Department supports the intent of S.B. No. 2597 but respectfully opposes the measure for the reasons identified below.

Class size is a subject of collective bargaining and is addressed in the Department's contract with HSTA. Article VI, Teaching Conditions and Hours, Section A. 6., of the current contract states that the employer agrees to maintain the "average statewide class size ratio of 26.15 to 1."

Moreover, class size is product of school-level decisions by the principal and School Community Council in budgeting of school funds. Thus, schools are empowered to select its number of teachers based on its allocation of its student population-based budget toward personnel. Rather than class size limitations determined by the Legislature, class size is better addressed by providing additional funding for the Weighted Student Formula, which would allow schools to allocate additional resources towards personnel and thus reduce class size.

The current HSTA contract also provides a process to follow should there be issues in connection with the class size of individual classrooms. For example, a class size committee is required, with the authority to hear and investigate class size complaints and make recommendations to the Superintendent for change. If there is no majority vote on a decision of the committee, the HSTA may have the matter submitted to arbitration.

Finally, any change to the class size requirements, including a change from average statewide ratio to individual classroom maximum, would have significant cost implications due to the need for more teachers and additional facilities to house additional classrooms. The Department believes there are other, often less costly, means to provide students with quality education and to address working conditions for teachers.

**Part XIII. FUNDING (S.B. No. 2599)**

The Department has no position on this measure and defers to the Administration with regard to the generation of revenues to fund public programs.

**Part XIV. MISCELLANEOUS (S.B. No. 2598)**

The Department supports the intent of S.B. No. 2598. The additional funds would provide the Department with additional teaching positions to support the programs and needs of our schools and students. However, this bill is prescribes the subject area of



teachers to be funded, and the Department supports schools' using their autonomy to determine the types of positions for necessary for their school program and community.



**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
919 ALA MOANA BOULEVARD, ROOM 113  
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TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
February 10, 2016

The Honorable Michelle H. Kidani, Chair  
Senate Committee on Education  
Twenty-Eighth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Senator Kidani and Members of the Committee:

SUBJECT: SB 2588 – Relating to Special Education

The State Council on Developmental Disabilities **SUPPORTS THE INTENT OF SB 2588**. The purpose of the bill is to provide support for special education teachers and students by providing special education teachers with additional preparation time and funds for instructional materials.

Special education teachers work with students who have a wide range of emotional, learning, mental, and physical disabilities. Based on the various levels of students in their class, they adapt education lessons in language, math, reading, and writing; teach basic skills in communication and literacy; plan, organize, and assign activities that are specific to each student's abilities; implement and update Individual Education Plans (IEPs); assess students' performance, and track their progress and goals throughout the school year.

Additional planning and preparation time of 40 hours per year for teachers to use at their own discretion, and funds for instructional materials would benefit the teacher in implementing IEPs for each student. The potential positive outcome would be job satisfaction and retention of special education teachers and increased student achievement in their IEPs.

Thank you for the opportunity to submit testimony **supporting the intent of SB 2588**.

Sincerely,

Waynette K.Y. Cabral, MSW  
Executive Administrator

Josephine C. Woll  
Chair



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Corey Rosenlee  
President  
Justin Hughey  
Vice President  
Amy Perruso  
Secretary-Treasurer  
Wilbert Holck  
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEE ON  
EDUCATION

RE: SB 2588 - RELATING TO SPECIAL EDUCATION.

WEDNESDAY, FEBRUARY 10, 2016

COREY ROSENLEE, PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

Chair Kidani and Members of the Committee:

The Hawaii State Teachers Association **strongly supports SB 2588**, relating to special education.

Special education instruction meets the unique needs of students with disabilities, including academic, speech-language, psychological, physical and occupational, and counseling accommodations. Governed by the federal Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and state regulations requiring the Hawai'i State Department of Education to provide a free, appropriate public education (FAPE) to eligible students, special education services are made available to any student aged 3 to 22 who demonstrates a need for specially designed instruction.

Despite reform efforts over the past 15 years, special education in Hawai'i requires additional support. In a recent report, prepared by the Hawaii Board of Education's Audit Committee, a shortage of qualified personnel in the special education department was cited. The report noted that there were 652 vacant special-education-related positions such as educational assistants, speech pathologists, and psychologists. Assistant Superintendent Suzanne Mulcahy, on the PBS program Insights, confirmed that for special education teachers alone, there were 280 vacancies this school year. These shortages lead to inconsistencies in services for students, unqualified teachers, loss of funds to contractors, and more due-process claims. The underserving of our students could lead a lawsuit similar to the Felix Consent Decree in our most recent past that put our state under federal supervision



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**Corey Rosenlee**  
President  
**Justin Hughey**  
Vice President  
**Amy Perruso**  
Secretary-Treasurer  
**Wilbert Holck**  
Executive Director

for not meeting the needs of our special education students. Do we want to go down that road again?

On statewide assessments, most of Hawaii's special needs students are performing below grade level in reading and mathematics. In the 2013-2014 academic year, only 22 percent were proficient in reading and 15 percent proficient in math. Moreover, between the 2004-2005 and 2013-2014 academic years, the achievement gap between special education students and their general education peers increased to 48.2 percent in reading and 48.8 percent in math, an approximate change of 10 percent in reading and 27 percent in math.

To boost performance, we must decrease the workload of special education teachers and provide additional funding for special needs classrooms to help them meet the learning needs of their students. This can only be achieved, however, if special needs students are not viewed as homogenous, but instead as existing on a wide spectrum of capabilities and needs. Moreover, in some schools, as many as a third of our students have individual education plans (IEPs). Special education teachers are often overburdened with paperwork, lack adequate time to complete IEP tasks, and have insufficient funds for learning materials and equipment. In a 2015 HSTA survey of special education teachers, more than 70 percent reported that they were not given adequate time to lesson plan or complete IEP reporting during the work day, while 60 percent of SPED teachers said that they did not receive appropriate support from school administrators.

SPED teachers' plight was exacerbated in the 2010-2011 school year, when, due to a loss of federal funding, the DOE discontinued yearly supplemental supply funding of \$1,690 per teacher. As a result, 63 percent of SPED teachers responding to the survey revealed that they had not received any separate SPED allocation from school administrators for supplies or curriculum for their students with special needs, and more than 80 percent stated that they had made out-of-pocket purchases to meet specific student needs. Accordingly, we urge you to give special education teachers additional preparation time and funds for instructional materials, the latter of which we estimate would cost roughly \$3,750,000 if the \$1,690 supplemental supply funding is reinstated for all SPED teachers systemwide.



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**Corey Rosenlee**  
President

**Justin Hughey**  
Vice President

**Amy Perruso**  
Secretary-Treasurer

**Wilbert Holck**  
Executive Director

Because special needs children deserve every opportunity to succeed, the Hawai'i State Teachers Association asks your committee to **support** this bill.



Testimony In Support of Senate Bill 2588  
Senate Committee on Education  
Wednesday, February 10, 2016

Dear Honorable Chair Kidani and committee members,

Hawai'i's public schools serve many vulnerable groups of young people, including economically disadvantaged students, students with special needs and English Language Learners. While about 13% of the total student population (about 180,000 students) falls into *more* than one group, students from these three groups taken together make up a solid majority, or 56%, of our student population.[1] About 52%, or 92,808, of our students are economically disadvantaged; 10%, or 17,373, of our students have special needs; and about 8%, or 13,883, of our students are English Language Learners (ELL).[2] If public education is to be a space in which we can restore *ola* (well-being), *lōkahi* (balance), *pono* (fairness), and *aloha* (care), we need to begin by addressing the needs of those students who are most vulnerable.

Special education instruction meets the unique needs of students with disabilities. Special education services include academic, speech-language, psychological, physical and occupational, and counseling accommodations. Governed by the federal Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and state regulations requiring the Hawai'i State Department of Education to provide a free, appropriate public education (FAPE) to eligible students, special education services are made available to any student aged 3 to 22 who demonstrates a need for specially designed instruction.[3]

Despite reform efforts over the past fifteen years, special education in Hawai'i requires additional support. Most students with Individualized Education Programs (IEPs) in Hawai'i public schools are performing below grade level in reading and mathematics as measured by statewide assessments. While most of the public policy attention to these students has been focused on the dramatically widening 'achievement gap' between special education students and their general education peers, teachers of special needs students are often much more concerned about the psychological effects that the 'toxic testing' culture has had on these students, and the ways in which students' fundamental sense of humanity and self-worth are increasingly undermined by our highly pressurized and hypercompetitive public school culture.

In some HIDOE schools, as many as a third of our students have Individual Education Plans (IEPs). Special education teachers are often overburdened with paperwork, lack adequate time to complete Individualized Education Plan (IEP) tasks, and lack sufficient funds for learning materials and equipment. In a 2015 HSTA survey of Special Education teachers in Hawaii, more than 70% of respondents reported they were not given adequate time to plan for teaching, completing documentation for one-to-one services (i.e. Skills Trainer), or completing IEP reporting during the work day. In addition, more than 60% of Special Education teachers did not receive appropriate support services and workload support or additional time to complete IEP reporting from school administrators. In the 2010-2011 school year, due to a loss of federal funding, the DOE discontinued the yearly supplemental supply funding of \$1,690 to special education teachers. As a result, 63% of the teachers responding to the survey revealed they had not received any separate SPED allocation from their school administrators for supplies or

curriculum, and more than 80% made out-of-pocket purchases to meet specific needs of their SPED students. The loss of the \$1,690 funding resulted in a lack of appropriate learning materials and increased the teacher workload significantly in order to replicate appropriate teaching materials. Improving the educational experience for special education students requires that we not only lessen the workload of special education teachers, but also give special education teachers funding for classroom materials that boost learning growth.

Thank you for considering this critical legislation.

Sincerely,

Amy Perruso, Ph.D.  
Mililani High School  
Advanced Placement Social Studies  
NBCT

EDUtestimony@capitol.hawaii.gov

Heading: Testimony in support of SB2588

Testimony for: Committee on Education Hearing on Wednesday, February 10, 2016 1:15pm

Honorable Chair Kidani and committee members,

My name is Debbie Anderson. I am a teacher at Waiakea Intermediate School on the island of Hawaii. As a teacher of over 25 years in Hawai'i, I am writing in support of SB2588 The Schools Our Keiki Deserve Act, SB2586 The Schools Our Keiki Deserve Act subcomponent Part III, which "Provides special education teachers with additional preparation time and funds for instructional materials."

## PART II. SUPPORT ALL OF OUR STUDENTS

Hawai'i's public schools serve many vulnerable groups of young people, including economically disadvantaged students, students with special needs and English Language Learners. While about 13% of the total student population (about 180,000 students) falls into more than one group, students from these three groups taken together make up a solid majority, or 56%, of our student population.[1] About 52%, or 92,808, of our students are economically disadvantaged; 10%, or 17,373, of our students have special needs; and about 8%, or 13,883, of our students are English Language Learners (ELL).[2]

If public education is to be a space in which we can restore ola (well-being), lōkahi (balance), pono (fairness), and aloha (care), we need to begin by addressing the needs of those students who are most vulnerable.

### Special Education

Special education instruction meets the unique needs of students with disabilities. Special education services include academic, speech-language, psychological, physical and occupational, and counseling accommodations. Governed by the federal Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and state regulations requiring the Hawai'i State Department of Education to provide a free, appropriate public education (FAPE) to eligible students, special education services are made available to any student aged 3 to 22 who demonstrates a need for specially designed instruction.[3]

Despite reform efforts over the past fifteen years, special education in Hawai'i requires additional support. Most students with Individualized Education Programs (IEPs) in Hawai'i public schools are performing below grade level in reading and mathematics as measured by statewide assessments. While most of the public policy attention to these students has been focused on the dramatically widening 'achievement gap' between special education students and their general education peers, teachers of special needs students are often much more concerned about the psychological effects that the 'toxic testing' culture has had on these students, and the ways in which students' fundamental sense of humanity and self-worth are increasingly undermined by our highly pressurized and hypercompetitive public school culture.

In some HIDOE schools, as many as a third of our students have Individual Education Plans (IEPs). Special education teachers are often overburdened with paperwork, lack adequate time to complete Individualized Education Plan (IEP) tasks, and lack sufficient funds for learning materials and equipment. In a 2015 HSTA survey of Special Education teachers in Hawaii, more than 70% of respondents reported they were not given adequate time to plan for teaching, completing documentation for one-to-one services (i.e. Skills Trainer), or completing

IEP reporting during the work day. In addition, more than 60% of Special Education teachers did not receive appropriate support services and workload support or additional time to complete IEP reporting from school administrators. In the 2010-2011 school year, due to a loss of federal funding, the DOE discontinued the yearly supplemental supply funding of \$1,690 to special education teachers. As a result, 63% of the teachers responding to the survey revealed they had not received any separate SPED allocation from their school administrators for supplies or curriculum, and more than 80% made out-of-pocket purchases to meet specific needs of their SPED students. The loss of the \$1,690 funding resulted in a lack of appropriate learning materials and increased the teacher workload significantly in order to replicate appropriate teaching materials. Improving the educational experience for special education students requires that we not only lessen the workload of special education teachers, but also give special education teachers funding for classroom materials that boost learning growth.

### English Language Learners

According to the 2010 U.S. Census survey, over 25 % of the population in Hawai‘i speak a language other than English, and the majority of people immigrating to Hawai‘i come from Asia and the Pacific Islands. The top five foreign languages spoken by Hawai‘i public school students are Ilokano, Chuukese, Marshallese, Tagalog, and Spanish.[4] Hawai‘i public school educators have been struggling with inadequate support and the impossible challenge of asking their students to be prepared for high-stakes testing. This issue requires the attention of policy makers.

Federal law requires programs that educate children with limited English proficiency be 1) based on a sound educational theory; 2) adequately supported, with adequate and effective staff and resources so that the program has a realistic chance of success; and 3) periodically evaluated and, if necessary, revised.[5] In that vein, recent community discussions around multilingualism could help provide a way to strengthen the educational methods used with English Language Learners. This work is based on the premise that there is strength in the diverse multicultural and multilingual students we serve in Hawaii, inasmuch as students who are English Language Learners are potentially multilingual learners who may have first languages other than or in addition to English, capacities which should be used as resources for their educational success. This approach effectively seeks to fulfill the mandates of federal law by “providing program guidance to promote academic achievement, English language development, and personal growth for multilingual learners, which supports preparation for college, career and community contribution,” building upon the pedagogical “advantages of multilingualism for equitable and quality education” by using the home language for content learning while developing English language abilities.

This shift in education policy to one better grounded in educational theory still requires substantial additional funding so that it is adequately supported with adequate and effective staff and resources for a realistic chance of success. This approach is already being explored by some of Hawaii’s most transformational teachers and can be used to help students explore their diverse backgrounds and different ways of making meaning.[6]

It is also critical that this movement be connected to a more holistic analysis of the current state of public education in Hawaii, and coupled with a vision for the future based on cooperation, creativity, trust-based responsibility, professionalism, and equity.

[1] Hawai‘i State Senate. Supplemental Budget Briefing FY 2016-17. Hawai‘i State Department of Education, 8 Jan. 2016. Web. 9 Jan.2016.

[2] Ibid.

[3] "IDEA - Building The Legacy of IDEA 2004." USDOE, Web. 09 Jan. 2016.

[4] "Hawai'i DOE | English Language Learners (ELL)." Hawai'i State Department of Education. Web. 09 Jan. 2016.

[5] Brown, Emma. "Feds Push Schools to Observe Civil Rights of Children Learning English As a Second Language." Washington Post.

15 Jan. 2015. Web. 09 Jan. 2016.

[6] Studies of Heritage and Academic Languages and Literacies Program Part 1 of 3. Perf. Farrington SHALL Students. Olelo. Farrington High School, 9 Nov. 2009. Web. 9 Jan. 2015.



Testimony for: Non-Support of SB2588

Committee on Education Hearing

Wednesday, February 10, 2016 at 1:15pm

Honorable Chair Kidani and committee members

We, freshmen from Mililani High School, do not support this bill because it states that it wants to make classes smaller, add air conditioning to certain classrooms, and add tests for evaluation purposes to improve the learning experience for public school students. If the bill is not stopped the consequences may be too much for Hawaii to handle.

Making classes smaller will create the need to build more classrooms. This will raise taxes to build the classrooms, as well as buying the supplies for the class. This could possibly raise the amount of homelessness because of how expensive it is to live here. With the sizes that classes are currently at, there are more students who can give their input on certain topics and make a bigger picture. Although making classes smaller will create more jobs as a teacher or educational officers, there are not many people who are qualified for those positions, and we already don't have enough qualified people who are willing to take the job. More evaluation tests are not needed. There are already multiple tests, such as the Renaissance test, to evaluate how we are doing in school. With more tests, teachers will become more focused on teaching students standards that will be on the test instead of teaching students tools that will be needed to help and prepare for life.

Sincerely,

Lindsay Shiroma  
Gracelynn Maguire