



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

**Date:** 03/12/2019

**Time:** 02:30 PM

**Location:** 309

**Committee:** House Lower & Higher  
Education

**Department:** Education

**Person Testifying:** Dr. Christina M. Kishimoto, Superintendent of Education

**Title of Bill:** SB 0388, SD2 RELATING TO EDUCATION.

**Purpose of Bill:** Authorizes parents and guardians of vulnerable students and students exhibiting behavioral issues to request a clinical or psychoeducational evaluation. Requires the Department of Education, after expelling a student, to provide the suspended student's parents or guardians with the option to request an assessment of the student to uncover contributing factors that may have led to the suspension and that may mitigate future disciplinary issues or concerns, including receiving special education services. Effective 7/1/2050. (SD2)

**Department's Position:**

The Department of Education (Department) does not support SB 388, SD2. This bill would require the Department to change its current practice for school teams using the Student Support Process (SSP), a problem-solving, team-based and data-driven process that guides the team to develop a behavior support plan to address the identified behaviors. To further address this vulnerable population, the Department commits to conducting the use of an adverse childhood experience (ACE) questionnaire or a similar assessment to ensure appropriate supports are provided. The Department recognizes that early identification of vulnerable children and children who are exhibiting emergent or persistent behavioral and educational issues is critical to ensuring access to appropriate behavioral interventions.

Mandating through this bill, the evaluation of suspended students to identify and provide services for any social disorder, emotional disorder, or learning difference is unnecessary because federal and state laws provide protections for students suspected of a disability, where a parent can request an evaluation. Determination of eligibility of a child with a disability is made by a group of qualified professionals, including the parent of the child. The Department is legally obligated to follow the requirements of the federal Individuals with Disabilities Education Act (IDEA) and Hawaii Administrative Rules (HAR), Title 8, Chapter 60, *Provision of a Free Appropriate Public Education for a Student with a Disability*.

Thank you for this opportunity to provide testimony on this matter.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at [www.hawaiipublicschools.org](http://www.hawaiipublicschools.org).

March 10, 2019

Committee: COMMITTEE ON LOWER & HIGHER EDUCATION

Rep. Justin H. Woodson, Chair

Person Testifying: Gina Ann Leong Samala, PsyD, Clinical Psychologist, Mililani Psychology Group

Type of Bill: SB 0388 RELATING TO EDUCATION.

~~I am in full support of SB388 and respectfully ask that the~~ Committee on Lower and Higher Education ~~also support the legislation~~ ~~strongly support SB388 which would require the department of education to evaluate and assess certain vulnerable children. This population includes children exhibiting emergent or persistent behavioral and educational issues as well as suspended students. The purpose is to identify and provide services needed for social or emotional disorders as well as learning differences.~~ Given early intervention and supports for “vulnerable youth” the likelihood of diverting them from the “pathway to prison” to a “pathway to success” becomes more promising. I have had the privilege of conducting neuropsychoevaluational assessments and providing services to diverse populations in Hawai'i for over 20 years in school, clinic, hospital, and community settings.

#### Role of Strength and Weakness Identification – Person-centered planning

Evaluating the students at the Kinai 'Eha program, we found that most students demonstrated adequate or higher potential in some areas than their same-aged peers, despite years of missed formal education.

While learning challenges were loud and clear to students, their strengths were overlooked for the most part. These strengths could have supported, or help off-set, the pervasive impact of negative experiences during developmental years in the school setting. A missed opportunity at the time, which often fostered a feeling of generalized failure and hopelessness for their future in the work place, community, and in their homes.

With early identification, students' strength and weakness can be addressed through alternative curriculum, approaches to learning, or simply being educated about their personal profiles with a collaborative plan. It is amazing to see the motivation in their current program, and the consistent surprised reaction when learned about their profile.

#### Lifelong Negative Self-Concept in Productivity Among Peers: Learned Early In Life

During testing, the students were initially apprehensive, but quickly became engaged and eager to learn how they performed. Majority of examinees did not expect to do well and were surprised with their results. It was not what they were been accustomed to. True learning differences were identified and explained. It finally all seemed to all make sense for some. Almost all examinees mentioned the they felt “dumb” their whole lives, a role ingrained during developmental years. Instead, they often successfully made their mark in the school setting by taking on negative roles modeled from dysfunctional experiences. Hence, the perpetuation of negative self-concept and cycles through generations, despite adequate or better cognitive potential.

#### Shift to Hope, Goal-Orientation, Persistence, Productivity, and Connectedness/Belonging

I have seen immense progress with practical supports and a shift in self-perception. Assessments can be powerful as the process is structured, relatively “safe,” (less emotional) and provides objective

information that may otherwise have been missed throughout earlier years, overshadowed by behavioral challenges. This new focus on one's own cognitive potential and sense of competence often leads to tremendous personal growth, as they shift from relying solely on the resolution of dysfunctional systems beyond their control (i.e. family, codependence, abuse) to planning for growth.

The comprehensive assessment can help to identify strengths, particularly among the "vulnerable population." The information can be used to collaboratively generate clear needs, goals, and strategies to become not only responsible, productive citizens, but meet their full potential as well-rounded people. I highly support this bill and have no doubt that it will benefit countless individuals and the community as a whole if executed effectively.

Sincerely,

Gina AL Samala, PsyD

Licensed Clinical Psychologist

Mililani Psychology Group

**SB-388-SD-2**

Submitted on: 3/9/2019 2:55:50 PM

Testimony for LHE on 3/12/2019 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ian Kitajima	Individual	Support	No

Comments:

**SB-388-SD-2**

Submitted on: 3/9/2019 8:00:03 PM

Testimony for LHE on 3/12/2019 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Omar Sultan	Individual	Support	No

Comments:

**SB-388-SD-2**

Submitted on: 3/9/2019 8:08:38 PM

Testimony for LHE on 3/12/2019 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Miki K. Tomita	Individual	Support	No

Comments:

**SB-388-SD-2**

Submitted on: 3/10/2019 4:58:05 PM

Testimony for LHE on 3/12/2019 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Judith A Mick	Individual	Support	No

Comments:

Aloha- In the important effort to keep young people expelled from our school system from becoming part of our homeless population, we must offer them an assessment to see where their talents (which they all have) lie. I have had experience with the Kinai 'Eha program in Waimanalo. It is so inspiring to see these young folks who didn't find a calling in the standard school system, see the possibility of becoming productive, positive members of society. Their adult leaders (Josiah, Sam, and Sharon) are to be congratulated for the work they do for these youth. Members of my family work with a similar program in Hana, Maui. It works, the kids deserve this chance and we can make it happen. Thank you for your consideration. Aloha, Judy Mick, Kailua



**LATE**

**SB-388-SD-2**

Submitted on: 3/12/2019 7:34:35 AM  
Testimony for LHE on 3/12/2019 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

**LATE**

**SB-388-SD-2**

Submitted on: 3/12/2019 9:04:47 AM

Testimony for LHE on 3/12/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sandi Tadaki	Individual	Support	No

Comments:

Dear Members of the Senate Education Committee:

"One in every two students with [learning disabilities] faced a school disciplinary action such as suspension or expulsion in 2011. (Only students served in the category of emotional disturbance received more disciplinary actions.)"  
(from <file:///Users/stadaki/Downloads/2014StateofLD.pdf>)

Children who struggle with learning disabilities often feel isolated, stupid, incompetent, and unworthy, because they are unable to learn basic skills *despite their best efforts*. They become the targets of teasing from peers; regretfully, they also are labeled by ignorant adults as being uncaring, lazy, "disruptive" (e.g., acting as the class clown, having low frustration tolerance, needing constant teacher attention/help). This only adds to their feelings of anxiety, depression, frustration, self loathing. Not surprisingly, these emotions are sometimes manifested as "acting out" behaviors. "If the teacher doesn't care about me, why should I?" Neuroscience tells us that when individuals' brains are hijacked by big emotions, rational thought is not possible, and *neither is learning*. Further compromising these individuals' school performance is the fact that the [prefrontal cortex](#), the seat of executive function, does not come "on line" until the age of 25 or so.

It's easy to make assumptions about the underpinnings of any child's behavior and to let the conversation begin and end there. In order to *really* help a child, to be able to intervene *strategically* rather than haphazardly, it's important to know the individual's profile: deficits in need of intervention, and strengths and interests to be leveraged in the process. This is the value of assessment.

We must believe in our children and provide them the scaffolds and supports needed for success. It all begins with the question "Who?" as in "Who is this learner?" followed by "What does this learner need?" Our keiki deserve no less.

Thank you for your time and consideration.

Respectfully submitted,

Sandi Tadaki



# Late Testimony

**SB-388-SD-2**

Submitted on: 3/12/2019 11:30:21 AM

Testimony for LHE on 3/12/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Brinker	Individual	Support	No

Comments: