



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

Date: 02/09/2021

Time: 02:00 PM

Location: 309 Via Videoconference

Committee: House Education

Department: Education

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

Title of Bill: HB 1294 RELATING TO EDUCATION.

Purpose of Bill: The purpose of this Act is to require transfer of non-facility general fund per-pupil allocations of special education students of a department of education school to a charter school upon enrollment of the student at the charter school subject to certain conditions, including parent or guardian confirmation and notice of intent of the student's transfer to and enrollment in the charter school.

Department's Position:

The Hawaii State Department of Education (Department) is opposed to HB 1294 because:

1. The proposed procedure is inconsistent with those of the Special Education Per Pupil Allocation program that distributes the appropriated funding for special education classroom positions based on a single point in time enrollment projection for all public schools.
2. There already exists several mechanisms (see attached below) to address significant variance from projected enrollment. The most significant is the 10% Reserve, which is set aside when the state office allocates 90% of program funds to schools based on the enrollment count. The 10% set-aside is allocated to the Complex Area Superintendents to allocate to public schools under their oversight for situations such as this bill seeks to address.
3. The Fiscal Allocation Workgroup will be convened annually to holistically consider and address the allocation issues such as the concern this bill seeks to address.

The next Fiscal Allocation Workgroup, which will be the third, will be convened this Summer and is intended to include public charter school representation.

NOTE: The Addendum to the Special Education Per Pupil Allocation (SPPA) Guidelines dated August 2020 (<http://bit.ly/2MMuFD4>) provides procedures to address concerns regarding the need for additional funds.

Thank you for the opportunity to provide testimony on this measure.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. 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.

HB-1294

Submitted on: 2/8/2021 7:53:25 AM

Testimony for EDN on 2/9/2021 2:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Ryan Mandado | Individual | Support | No |

Comments:

Aloha e Chairman Woodson and members of the Committee on Education,

My name is Ryan Mandado and I'm the founding Chief Academic Officer (CAO) of DreamHouse 'Ewa Beach Public Charter School - Hawai'i's new and innovative charter school focused on leadership and identity development. We are currently in Kalaeloa, Hawai'i serving 200 families with students who have diverse needs.

I'm writing in full support of this measure. As a former Special Education teacher who once led Hawai'i's largest Special Education department in the state, supporting students with learning disabilities is a passion of mine. Each year, schools are required to sign a document for special education funds from the complex area based on a projected number of students eligible for special education services and supports. As Hawai'i's newest charter school and growing by one grade level each year, the projected number of students in special education does not match the actual student count at the beginning of the school year after families choose to enroll in our school.

DreamHouse is a fully inclusive school - our students in special education are in general education classes. We believe that all students, no matter their academic and learning ability, should have access to high-quality learning experiences with their non-disabled peers. If students in special education transfer to our charter school, the funds do not follow them until the new school year when we receive another document from the complex area about projected student enrollment. Charter schools are expected to provide excellent educational opportunities for students with disabilities without the funding to do so. Without the funds, it makes it challenging for charter schools to figure out hiring of Special Education teachers, other staff members, and address resources that impact learning opportunities for students with special needs.

We know it takes more to provide high-quality educational services to students with disabilities. Families choose to send their students in special education to charter

schools because they want to hold their students to high expectations and experience a different learning environment for their children. The funds that each student with a disability is allocated for should follow them to the charter school they selected as a family to enroll in.

Once again, I hope this committee passes this measure to ensure charter schools receive the funds necessary to ensure students in special education receive the excellent education they deserve.

Please let me know if you have any questions.

Mahalo,

Ryan Mandado

Chief Academic Officer at DreamHouse 'Ewa Beach Public Charter School

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808-931-0442



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hawaiikidscan.org

David Miyashiro
Executive Director

February 9, 2021

Committee on Education
Rep. Justin H. Woodson, Chair
Rep. Jeanne Kapela, Vice Chair

State Capitol
415 South Beretania Street
Honolulu, HI 96813

Aloha Chair Woodson, Vice Chair Kapela, and Members of the Committee,

HawaiiKidsCAN supports HB1294, which requires transfer of non-facility general fund per-pupil allocations of special education students of a department of education school to a charter school upon enrollment of the student at the charter school subject to certain conditions, including parent or guardian confirmation and notice of intent of the student's transfer to and enrollment in the charter school.

Learning isn't one-size-fits-all, and Hawaii's public charter schools play an important role in offering a wide range of learning models for our keiki. Many families seek out charter schools because their child has unique learning needs and may have a disability. Given that schools provide these students with extra supports, it would be reasonable to expect that special education funding should follow the student to their new public charter school if that school expands grades or student enrollment.

HB1294 makes common sense adjustments to the student allocation and transfer process so that schools receive the adequate and appropriate amount of funding in special education based on that new enrolling student with special education needs. Ultimately, it is the student that benefits from this change, as it ensures schools with have the funding they need to offer specialized staffing and supports.

Mahalo for your consideration,

David Miyashiro
Founding Executive Director
HawaiiKidsCAN



DREAMHOUSE
'EWA BEACH

Monday, February 8, 2021

Aloha Chair Woodson, Vice Chair Kapela, and Committee Members,

Please accept this testimony as support for HB1294, a **Bill to ensure that Special Education Funding follows children with Special Needs.**

It is my understanding that:

- **Students with special needs transferring from DOE to Public Charter do not receive a per pupil allocation** until a year later, leaving them unfunded in a new school, without a staffing allocation, and without dedicated resources;
- **HB1294 does not increase funding** or cost taxpayers any additional money;
- **This bill would ensure funding follows the student** as intended by law, and ensures schools with the actual student receive funding, not their old school (as is the case now).

I write this as a brand new father; my wife gave birth 8 days ago on Sunday, January 31 to a healthy baby boy. Even after a week, the gut feeling of wanting to take care of and ensure my son's needs are met is felt daily. Our parents of children with Special Needs feel the same, and I know this Bill can ensure the law, as originally written, will function as it was intended.

Mahalo for your time and leadership during these difficult times.

Alex Teece

Founder & CEO

DreamHouse 'Ewa Beach Public Charter School

DREAMHOUSE 'EWA BEACH

91-1245 Franklin D Roosevelt Ave – A | Kalaeloa | HI | 96707

HB-1294

Submitted on: 2/8/2021 8:52:57 AM

Testimony for EDN on 2/9/2021 2:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| cheryl B. | Individual | Support | No |

Comments:

SUPPORT.

I would suggest that the bill say "public charter schools" so that in the future there is no question as to which charter schools this pertains. Realizing currently those are the ones we have in Hawai'i but that does not mean that someone won't attempt to use for a non public charter which would not be appropriate for public funds.

HB-1294

Submitted on: 2/8/2021 9:54:16 AM

Testimony for EDN on 2/9/2021 2:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Tere Ann Cabanero | Individual | Support | No |

Comments:

I am writing in support of HB1294. Students needs various types of support and it is pertent and necessary that funding follow the pupil/student as they go to different schools, including charter schools, with prior notification as written in HB1294. Money is not the only resource a student needs but it certainly aids the school in supporting a child's needs. Charter schools may be a more appropriate setting for a student based on their needs and therefore should be including in this.

LATE

HB-1294

Submitted on: 2/8/2021 3:18:44 PM

Testimony for EDN on 2/9/2021 2:00:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Lucas Dembart | Individual | Support | No |

Comments:

Aloha Chairman Woodson and members of the Committee on Education,

My name is Lucas Dembart and I'm a resident of Waialua, O`ahu. I am a full-time 7th grade teacher at Wheeler Middle School.

I'm in full support of HB 1294 and ensuring special education funding follows students to charter schools they enroll in. We know it takes more resources to ensure students in special education receive an excellent education. If funds do not follow the students to the charter school they enroll in, charter schools will be responsible for providing high-quality education services without the appropriate resources.

Charter schools exist in communities to provide choice to family members who want their child to participate in different learning environments. If families decide to enroll their children in charter schools, the funds from the complex area should follow the student once the children is enrolled in the school.

Mahalo for allowing me to share my thoughts on this measure and I ask for your full support in passing HB 1294.

Mahalo,
Lucas Dembart

LATE

Aloha e Chairman Woodson and members of the Committee on Education,
My name is Kristina M.K. Vioria and I am a resident of Kapōlei, Hawai'i as well as a special education teacher at DreamHouse 'Ewa Beach, Public Charter School.

I am in full support of HB 1294 and ensuring special education funding follow students to charter schools they enroll in. We know it takes more resources to ensure students in special education receive an excellent education. If funds do not follow the students to the charter school they enroll in, charter schools will be responsible for providing high-quality education services without the appropriate resources.

Charter schools exist in communities to provide choice to family members who want their child to participate in different learning environments. If families decide to enroll their child in charter schools, the funds from the complex area should follow the student once the child is enrolled in the school.

Mahalo for allowing me to share my thoughts on this measure and I ask for your full support in passing HB 1294.

Mahalo,
Kristina M.K. Vioria, ME.d

Aloha,

The DOE's budget, plan and policies should include definitions and funding responsibilities for services required for students, including charter school students, uunder Sec. 504 and ADA and state antidiscrimination due to disability laws, to have equal access, in addition to a FAPE without special education.

I believe the proposed HRS would contribute to further disability discrimination against students. As a parent of a disabled child, I have experienced discrimination and retaliation from the DOE and charter schools. HRS 302D-28 and 302-38 and 302A definitions must specify non-special education requirements protecting eligible students with disabilities. As my child experienced, more students are easily denied geographical exceptions a charter school supports when these requirements are not understood.

I look forward to seeing the Legislature develop policies and specify the state and DOE provide funding for services federal laws require but are not funded by the federal government. Without federal funding, the state must provide and require reporting, as is done for IDEA special education services.

Thank you for considering my testimony.



Show simplified view

