

# **Hawaii State Public Charter School Guidelines for the Implementation of Individuals with Disabilities Education Act of 2004**

**December 2020**

Hawaii State Department of Education  
Exceptional Support Branch/Special Education Section  
475 22<sup>nd</sup> Avenue  
Honolulu, HI 96816  
(808) 305-9806

## Table of Contents

Introduction .....	1
Background.....	1
Hawaii Administrative Rules .....	2
Section I: General Agreements.....	2
Section II: Admission and Enrollment.....	2
Section III: Delivery of Services.....	3
Section IV: Roles and Responsibilities .....	4
Section V: Personnel .....	8
Section VI: Records.....	10
Section VII: Discipline .....	11
Section VIII: Dispute Resolution.....	14
Section IX: Acronyms .....	15
Section X: Appendices .....	16

## INTRODUCTION

The Hawaii State Public Charter Schools (PCS) are public schools of choice for students and parents in the State of Hawaii. The parent<sup>1</sup> may choose to enroll their child in any PCS regardless of whether the child has special needs or not.

When students with disabilities (SWD) are enrolled in a PCS, or any other public school, the Hawaii State Department of Education (HIDOE), as authorized by the Board of Education (BOE), is required to ensure the implementation of the Individuals with Disabilities Education Act of 2004 (IDEA). Public Law Number 108-446. See [34 Code of Federal Regulations \(CFR\) §300.149; § 302D-30](#), Hawaii Revised Statutes (HRS).

All applicable rules (Title 8, Chapter 19: [Student Misconduct, Discipline, School Searches, and Seizures, Reporting Offenses, Police Interviews and Arrests, and Restitution for Vandalism](#), Chapter 27: [Transportation of Students](#), Chapter 34: [Protection of Educational Rights and Privacy of Students and Parents](#), and Chapter 60: [Provision of a Free Appropriate Public Education For A Student with a Disability](#), Hawaii Administrative Rules (HAR)) related to special education (SPED) services in the HIDOE public schools also pertain to students enrolled in a PCS.

## BACKGROUND

All PCS are public schools run by independent, autonomous governing boards (GB) and are required, pursuant to both federal and state laws, to provide a Free Appropriate Public Education (FAPE<sup>2</sup>), which includes providing SPED and related services identified in a student's Individualized Education Program (IEP) for students who are eligible for SPED and related services. The PCS is responsible for providing a FAPE for SPED and related services in a student's IEP. If the PCS is unable to provide all the required services, HIDOE is responsible for working with the PCS and ensuring the provision of a FAPE.

The HIDOE designee for a PCS (i.e., PCS Director, Principal, Vice Principal, Po'o Kumu) is identified by the PCS GB, hereafter referred to as "PCS Designee." The PCS Designee acts on behalf of the HIDOE in making the offer of FAPE. They are required to be knowledgeable about the general education curriculum of their respective PCS; able to provide or supervise the provision of specially designed instruction; familiar with the resources of the HIDOE; and with assistance from the respective Complex Area Superintendent (CAS) or his/her representative, can commit to providing support in the implementation of a student's IEP.

---

<sup>1</sup>"Parent" as defined in Section 8-60-2, Hawaii Administrative Rules, means:

1. A biological or adoptive parent of a student;
2. A foster parent, unless state law, rules, or contractual obligations with the State prohibit a foster parent from acting as a parent;
3. A guardian generally authorized to act as the student's parent, or authorized to make educational decisions for the student (but not the State if the student is a ward of the State);
4. An individual acting in the place of the biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the student lives, or an individual who is legally responsible for the student's welfare; or
5. A surrogate parent who has been appointed in accordance with section 8-60-73 or section 639(a)(5) of the Act.

<sup>2</sup>"FAPE" as defined in the IDEA (34 CFR § 300.17), means SPED and related services that:

- A. Are provided at public expense, under public supervision and direction, and without charge;
- B. Meet the standards of the (State Educational Agency (SEA)), including the requirement of Part B of the Act; and
- C. Include an appropriate preschool, elementary school, or secondary school education in the State involved; and are provided in conformity with an Individualized Education Program (IEP) that meets the requirements of § 300.320 through § 300.324.

## **HAWAII ADMINISTRATIVE RULES**

Pursuant to the action taken by the BOE on May 5, 2005, the BOE designated the Superintendent as its agent to oversee the implementation of and compliance with federal and state laws regarding the provision of SPED services in all public schools.

Thereafter, in the memo dated November 27, 2017, “Authority for Special Education in Hawaii Public Schools,” the Superintendent has authorized the CAS to oversee matters related to the implementation, compliance, and monitoring of the provision of SPED and related services within the complex area and this continues to remain in effect.

The CAS is the direct line of authority to all public schools, including PCS, within the complex area for the offer and delivery of FAPE in the PCS. The PCS Designee collaborates with the CAS or his/her representative (i.e., District Educational Specialist (DES)) regarding matters relating to SWD within the PCS.

Good faith collaboration and communication with the complex area and the PCS shall occur in all situations related to the delivery of a FAPE. In accordance with § 302D-30, HRS, the HIDOE and the State Public Charter School Commission (SPCSC) have developed a system of technical assistance related to compliance with federal and state laws, and access to federal and state funds through this document, “Hawaii State Public Charter School Guidelines for the Implementation of the Individuals with Disabilities Education Act of 2004.”

### **SECTION I: General Agreements**

1. The PCS Designee (i.e., PCS Director, Principal, Vice Principal, Po‘o Kumu) is responsible for the offer and delivery of a FAPE to SWD. The PCS GB has the authority to designate the PCS Designee to make the offer of a FAPE on behalf of the PCS. If the PCS Designee needs an alternate designee, the alternate designee must meet the requirements noted in the BACKGROUND section (see page 1).
2. The PCS shall comply with all applicable rules related to the education of SWD, including, but not limited to, implementing the provisions of IDEA; § 302D-30, HRS; and Title 8, Chapters 19, 27, 34 and 60, HAR.
3. Collaboration and communication (i.e., invite to IEP meetings, seek consultation, etc.) between the complex area and the PCS shall occur in all situations related to the delivery of a FAPE.
4. The HIDOE and the PCS shall collaborate in the discussion, consultation, planning, and implementation of programs and services, as per the IEP, to meet the needs of students requiring SPED services enrolled in a PCS.

### **SECTION II: Admission and Enrollment**

1. The PCS must adhere to § 302D-34, HRS, which specifies that the PCS shall not discriminate against any student or limit admission based on disability and need for SPED services.

2. For a SPED student currently enrolled in a HIDOE public school and transferred to a PCS, the PCS shall convene an IEP meeting with input from the student's prior HIDOE school to assist with planning and delivery of the student's IEP.
3. Revisions to a student's IEP shall be done only at an IEP meeting and only when required to meet the student's needs, not based on what the PCS believes it can offer or deliver.
4. For a SPED student enrolling with an out-of-state IEP, the PCS will schedule a meeting within five (5) days to discuss comparable services and start the process for an initial evaluation. Please refer to the attached memo dated November 27, 2019, "Transfer of Interstate or Department of Defense Students with Disabilities into the Hawaii State Department of Education."
5. SWD who attend charter schools is eligible for transportation, including curb-to-curb transport, if transportation is listed as a "related service" in the student's IEP. See HAR § 8-27-9. Please note that the IEP team must have a "student-focused" discussion to determine if transportation is needed as a related service. Please refer to the memo dated April 28, 2020, "Guidance on Hawaii Administrative Rules, Title 8, Chapter 27, Transportation of Students."

### **SECTION III: Delivery of Services**

#### **Evaluation and Eligibility Procedures:** *Please refer to [HAR Chapter 60 Guidelines](#)*

1. The PCS shall conduct an initial evaluation based on student concern, in accordance with Sections §8-60-36 and §8-60-38, HAR, in order to gather sufficient information to determine eligibility for service.
  - a. Procedures for initial evaluation. The initial evaluation:
    - i. Shall be conducted within 60 days of receiving parental consent for the evaluation; and
    - ii. Shall determine:
      1. If the student is a student with a disability under sections §8-60-2 and §8-60-39, HAR; and
      2. Educational needs of the student.
  - b. Exception. The time frame described in §8-60-33 (c)(1) does not apply to the department if the parent(s)/legal guardian(s) of a student repeatedly fails or refuses to produce the student for the evaluation.
2. A re-evaluation will be conducted periodically, or at least every three (3) years to determine the continued need for services or when there is a significant change in placement.
3. If assessments are needed, the PCS will need to obtain parent(s)/legal guardian(s) consent to conduct assessments as part of an evaluation/re-evaluation.
4. The PCS Designee will need to coordinate with the IDEA DES to determine which personnel will complete evaluations, as required, for initial evaluations and re-evaluations.

5. Upon completion of the administration of assessments and other evaluation measures:
  - a) A group of qualified professionals and the parent(s)/legal guardian(s) of the student determines whether the student is a student with a disability as defined in Sections §8-60-2 and §8-60-39, HAR, in accordance with HAR § 8-60-38 (c) and the educational needs of the student; and
  - b) The PCS provides a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.
6. The evaluation can consist of reviewing existing data when no additional data is needed.
7. When a student has been determined eligible for SPED services, and the parent(s)/legal guardian(s) has provided consent for the initial provision of SPED and related services, an IEP will be developed.

### **Provision of FAPE**

The IEP team shall determine the provision of FAPE.

1. The PCS must implement a student's IEP in its entirety (to include all SPED and related services) to ensure that FAPE is provided.
2. When the PCS is not able to provide FAPE, please see Section IV, page 6, #5.

### **Access to Confidential Folder/Electronic Records**

1. Upon a written request from either the HIDOE or PCS, both the HIDOE and the PCS will release all original records of the SPED student to the receiving school within 14 calendar days. HIDOE and PCS will use the HIDOE electronic records management system to update status within two (2) business days.
2. The PCS employees who oversee or provide IDEA services for a student shall be granted access to the official HIDOE email, without cost, to facilitate collaboration and communication with the HIDOE. Possible employees are PCS Designee, Student Services Coordinator (SSC), SPED teacher(s), counselor(s), and other school personnel who provide related services to the SPED student.

## **SECTION IV: Roles and Responsibilities**

### **The PCS Governing Board shall ensure that:**

1. The PCS Designee it appoints adheres to the requirements and procedures outlined in the IDEA and Title 8, Chapter 60, HAR.
2. The PCS Designee hires teachers to provide SPED services and deliver Specially Designed Instruction on their site that meet minimum qualification requirements, as required by the Hawaii Teacher Standards Board and Every Student Succeeds Act (ESSA) of 2015, that the teachers of all subjects meet the federal designation as ESSA Hawaii Qualified Teachers (HQT). (For more information, see Section V: Personnel).

**PCS Designee shall:**

1. Be responsible for the offer of a FAPE in the Prior Written Notice (PWN).
2. Coordinate with the appropriate HIDOE complex area staff to complete any needed assessments for initial evaluations and re-evaluations. PCS shall write the evaluation summary report and input the description into the HIDOE electronic records management system.
3. Request to convene an IEP meeting, following student admission into the PCS, with input from the prior school, for the SPED student entering mid-year or for a SPED student entering the upcoming school year (SY), if the student previously attended a HIDOE school or another PCS.
4. Oversee the development of a student's IEP and implementation of the student's IEP in collaboration with PCS personnel and other IEP team members. This includes:
  - a. Schedule IEP meetings at a time and place agreed upon by the IEP team (administrator, general education and SPED teachers, and parent(s)/legal guardian(s). Remote participation (i.e., video conference/phone conference) can be utilized to ensure the involvement of all IEP team members.
  - b. Ensure relevant information and data is gathered for consideration in decision making.
  - c. Participate fully in all IEP meetings.
  - d. Confer and collaborate with the CAS or his/her representative, when appropriate, on the development and/or implementation of IEPs.
  - e. Ensure the provision of SPED and Related Services
    - Coordinate with district-related service providers to provide the following related services (i.e., speech-language pathology, counseling, occupational and physical therapy, interpreting services, transportation, audiology services, skilled nursing, etc.) and to schedule and implement services.
    - Coordinate with the public health nurse for students that require skilled nursing services.
      - Complete [Request for Nursing Services](#) form from the Department of Health for consultation. (See Appendix A)
      - Complete form SES 33: Request for Provider Skilled Nursing Services Request/Cancellation and send to contracted nursing service and SPED Section. (See Appendix B)
    - Complete Form ST-11 (Request for Curb-To-Curb Transportation) for students that are eligible for transportation as a related service in the HIDOE electronic records management system for services during normal school hours and the regular SY. For SWD that need nurse attendants, additional adult attendant(s), air conditioning, or mid and post-day services, Form ST-16 (Request for IEP-Approved Special Education Transportation other than typical curb-to-curb) needs to be submitted to the DES for approval.

5. If the PCS Designee believes that the PCS cannot deliver a FAPE, after they have met and reviewed the IEP and based on the services dictated by the IEP, the PCS Designee shall consult with the CAS or his/her representative to discuss whether additional supports and services are necessary to provide a FAPE. If even with additional support and assistance, FAPE cannot be provided at the PCS, then the PCS designee and the CAS or his/her representative will meet within 5 working days to determine the location where a FAPE can be delivered.
6. Submit to the CAS or his/her representative all documentation required to contract services from private agencies when the HIDOE personnel is not available to provide services needed by a student's IEP. Possible contracted services are Licensed Behavioral Analyst (LBA), Registered Behavior Technician (RBT), etc. All documentation will be maintained with the PCS.
7. Attend the HIDOE district-sponsored principal meetings/training sessions relating to SPED and related services.
8. Ensure participation in all SPED mandatory training sessions funded by the HIDOE for relevant staff.
9. Ensure the PCS is not suspending SWD at a higher rate than general education students, as required by IDEA, 34 CFR § 300.646. PCS will input the SPED student suspension data into the HIDOE electronic records management system, Incident Report database. Entering student suspension data into the HIDOE electronic records management system will notify the CAS when a SPED student is suspended for ten (10) cumulative days, HAR § 8-60-81. A change of placement occurs if the removal is for more than ten (10) cumulative school days in the same school year, unless the basis for a crisis removal exists in accordance with sections §8-60-75(d)(5) and §8-60-75(g)(2), HAR. The CAS or his/her representative supporting the PCS will review and discuss behavioral concerns to address student needs. The PCS is to follow the Monitoring and Compliance Branch reporting requirements for suspended PCS general education students; monitoring of this data will ensure that SWD is not suspended at a higher rate than general education students.
10. Designate a User Manager for the HIDOE electronic records management system who will manage and update access requests of PCS personnel.
11. Discuss with the CAS or his/her representative the use of its PCS facility to provide ESY services for PCS SWD who are eligible. The PCS may combine sites with other PCSs or HIDOE schools to provide ESY services.
12. Submit mandatory reports related to SPED and related services to the appropriate office(s).
13. Work collaboratively with PCS personnel, CAS or his/her representative, and the Department of the Attorney General (AG), Education Division, for due process requests/complaints, in a manner consistent with the procedures identified in Title 8 Chapter 60, HAR.



14. Submit any due process request to the CAS or his/her representative and the Department of the AG, Education Division, within the same business day request was received, and follow all required procedures that include record collecting and participating in hearing preparations.
15. Consult with the CAS or his/her representative regarding SPED and related services for legal consultation as needed. PCS Designee informs GB Chair, who consults with the PCS's AG. The CAS or his/her representative will contact the Department of the AG, Education Division.

**Complex Area IDEA DES will:**

1. Provide personnel to the PCS to complete assessments, as needed, for initial evaluations and re-evaluations.
2. Ensure HDOE specialized personnel participates with PCS personnel to develop and implement IEPs.
3. Provide technical assistance and support in a manner consistent with the provision of SPED services in all public schools.
4. Provide notice and access to mandatory SPED training.
5. Invite PCS to professional development opportunities to address the physical health, behavior, academic, and social-emotional needs of SWD.
6. Disseminate resources and funds to PCS in the same manner that they disseminate resources and funds to other non-PCS schools.

**The SPCSC will:**

1. Collaborate and assist the HDOE, Office of Student Support Services (OSSS), to develop guidelines related to the provision of SPED services and resources to each PCS.
2. Collaborate and assist the HDOE complex area or OSSS to inform PCSs of changes to the law, rules, and regulations about SPED.
3. Collaborate and assist the HDOE complex area or OSSS to inform PCSs of training opportunities and professional development opportunities about SPED, including training on relevant student information systems.
4. Cooperate with the IDEA DES when issues arise during the HDOE IDEA General Supervision and Support (GSS) process to monitor the implementation of the IDEA requirements. The GSS process ensures proper implementation and compliance with the IDEA. SPCSC will notify PCS GB of potential issues.

## **SECTION V: Personnel**

### **SPED Resources for PCS**

1. The resources provided by the HDOE to PCS to support SPED needs are:
  - a. Funding for SPED personnel through SPED Per Pupil Allocation;
  - b. Related services identified in an IEP; and
  - c. Support and guidance, primarily from the CAS or his/her representative.

[Special Education Per Pupil Allocation \(SPPA\)](#) is a new funding formula.

Distribution of SPPA funds in SY 2020-21 will be done via the following formula:

- a. \$66,000 base funding for each school.
- b. Per-pupil funding begins with the fifth student.
- c. Use of select student characteristics as 0.1 weights
  - Specific Learning Disabled;
  - Other Health Disabled; and
  - Speech or Language Disabled.
- d. Of the non-base funds:
  - 90% allocated to schools; and
  - 10% allocated to schools at the discretion of the CAS.

The student count date to be used will be the most currently available April enrollment count for both the tentative allocation used for planning purposes and the allocation adjustment to be made over the summer before the start of the SY. The necessary information about the SPPA has been added to the public website to facilitate conversations with school communities around the new funding mechanism.

### **Positions that can be purchased with SPPA funds:**

#### **Salaried Positions**

Salaried positions filled by qualified staff who provide direct instructional services to SWD (e.g., SPED teacher, Article VI teacher, educational assistants) can be purchased with SPPA. All salaried full-time equivalent positions must be included in the financial plan.

#### **12 Month Positions**

Schools may fund 12-month classroom teachers and Educational Assistants (EAs) that provide direct instructional services to SWDs. The justification of funding these positions must be included in the financial plan and thoroughly reviewed with their CAS before submitting for approval.

#### **Casual or Hourly Personnel**

Schools may use SPPA to purchase casual or hourly personnel that provide direct instructional services to SWD (e.g., Part-Time Temporary (PTT), Para-Professional Tutor (PPT), and Para-Professional Educator (PPE)). These positions are planned for by the number of hours or days the school expects to utilize the personnel. All casual or hourly personnel, including the number of hours or days, must be included in the financial plan.

### **Other Allowable Costs Related to Positions**

Substitutes for personnel engaging in professional development on SPED instruction and supports and services may be budgeted for in the school's financial plan and is an allowable SPPA cost.

See [WSF Guidelines](#) for all other allowable costs related to positions.

### **Other Allowable Purchases**

The purpose of SPPA funds is to purchase personnel providing direct instructional services to SWDs. Not more than 5% of SPPA can be used to fund non-personnel costs. Any overage shall be transferred to the CAS, who has the discretion to establish procedures on how the overage shall be spent.

Examples of allowable non-personnel purchases:

- SPED instructional and curriculum materials, which must be supplemental to the general education curriculum and may not be used to supplant general education;
- Specific supplies and equipment indicated on a student's IEP; and
- Cost to participate in professional development for personnel providing direct instructional services to SWDs.

### **SPPA Program Implementation**

Instead of the financial plans, the PCSs will use the [SPPA PCS Program Plan Template](#) for the intended use of SY SPPA funds. This template must be submitted to the CAS for review and approved no later than December 15th of each calendar year.

### **Teacher and Paraprofessional Qualifications Requirements and Parent(s)/Legal Guardian(s) Notification**

The PCS must ensure staff hired meet the ESSA requirements; ESSA requires all teachers to meet State Certification or Licensing requirements at the grade level and in the subject area in which the teacher has been assigned. The ESSA also requires that all paraprofessionals continue to meet qualification requirements that were in place under The No Child Left Behind Act.

The ESSA requires the HDOE to report on the qualifications of teachers and paraprofessionals. For accurate data reporting, the assistance of all schools, including PCS, is needed to ensure that accurate and timely identification of qualified teachers and paraprofessionals and notification to the parent(s)/legal guardian(s) are met.

For further information on qualification requirements for PPE's, PPTs, and PTTs, please refer to the attached memo dated April 1, 2019, "New Casual Employee Job Classification Professional Educator and Changes to Casual Employee Classifications for Part-Time Teacher and Paraprofessional Tutor."

### **Vacant Position(s)**

#### **SPED Teacher**

1. Upon a vacancy of a SPED teacher, the PCS shall undertake efforts to recruit a qualified SPED teacher to fulfill the duties and the responsibilities of the vacant position. An individual actively pursuing licensure in SPED and meeting the minimum qualifications for a teacher (i.e., Bachelor's degree) can be considered for employment for a limited time period as established by law (currently three (3) years).
2. If, after multiple documented attempts to recruit, the PCS is unable to fill a SPED teacher position, a qualified substitute may temporarily assume the SPED teacher's responsibilities as a day-to-day substitute. Efforts to recruit for a licensed SPED teacher shall continue within the substitute's term of employment.

## **SPED EA**

Upon a vacancy of a SPED EA, the PCS shall undertake efforts to recruit a qualified EA to fulfill the duties and responsibilities of the vacant position.

## **Substitute SPED Teacher**

1. The PCS is responsible for finding a substitute teacher and may request a substitute for a SPED teacher (e.g., due to illness, a mandatory HIDOE training, witness preparation, due process), utilizing the teacher substitute system.
2. The cost for the aforementioned SPED substitute teacher assigned by the teacher substitute system will be incurred by the HIDOE, provided that the PCS verifies the job promptly.

## **Article VI Teachers**

The PCS is allowed to hire and utilize General Education/Article VI teachers. General Education/Article VI teachers are general education classroom teachers that provide instructional services to both general education students and SWD in a general education classroom. The SWD must be present in the school for the class to be taught by the Article VI teacher.

## **SECTION VI: Records**

### **Student Cumulative Files/Records**

1. Upon transfers, the originating school shall send the receiving school the original student record, including the cumulative folder, IEP, and confidential files (including inactive files) within 14 calendar days. The HIDOE electronic records management system for the transfer student shall be accurate and current at the time of the transfer.
2. The PCS that the SWD is attending will be considered the school of record for SPED and all related matters (e.g., HIDOE electronic records management system).
3. The PCS is responsible for maintaining and updating student records, including the HIDOE electronic records management system records.

4. The state and appropriate district offices responsible for SPED shall have full access to all SWD files.

### **Student Infinite Campus**

1. The PCS will designate a User Manager for the HIDEOE electronic records management system.
2. The User Manager is responsible for requesting the appropriate access, as described below, for PCS personnel.

The User Manager shall review the school access list for all personnel after the end of each SY and make any necessary changes (i.e., add, change, or remove) before the beginning of the following SY. The User Manager shall also update the access rights of personnel when role changes occur and add users as needed.

3. The PCS designee and vice-principal will have school-wide readers access, which is the ability to view all SWD in their school (“Non-Team list View”), and access to the HIDEOE electronic records management system.
4. The PCS, SSC, or the individual with the responsibilities of an SSC, will have “Non-Team List Edit” access to the HIDEOE electronic records management system with the ability to view, author, and edit for the school.
5. The SPED teacher and/or counselor will have “Team Edit” access to edit specific student records via the IEP team list on the HIDEOE electronic records management system.
6. The PCS Designee is responsible for monitoring the PCSs maintenance and updates of student records, including the HIDEOE electronic records management system records.
7. The PCS shall input all necessary information into the HIDEOE electronic records management system (e.g., request for evaluation, evaluation summary, documentation of eligibility, IEP, PWN, etc.), as well as “activate” the IEP in the HIDEOE electronic records management system within five (5) business days after the IEP meeting.
8. If any assistance is needed, users should call the HIDEOE Information Technology Help Desk at (808) 564-6000.

### **SECTION VII: Discipline**

1. The PCS designee is the determining authority for disciplinary action of all students enrolled in their PCS.
2. For the discipline of SWD, the GB must ensure the PCS complies with IDEA and the requirements of Title 8, Chapters 19 and 60, HAR.
3. While the GB of the PCS may develop its disciplinary procedures, the PCS must follow the procedural safeguards and afforded protections for SWD under Subchapter 9 of Chapter 8-60, HAR, and 34 CFR §§ 300.534–300.537.

4. The PCS is required to enter student suspension data for SWD into the HIDOE electronic records management system. The PCS shall report the number of students suspended, including the number of days of suspension per student, to the appropriate HIDOE office. The PCS Designee will be provided the necessary access level to the HIDOE electronic records management system to input these disciplinary actions.
5. Should a student be found eligible for SPED services, the PCS is to input all suspension data before eligibility into the HIDOE electronic records management system to provide critical background information for consideration in developing a student's IEP.

### **Manifestation Determination**

1. The PCS is responsible for conducting a manifestation determination, a process triggered by a decision to change the placement of the SWD as a result of the discipline of the student under the disciplinary code of student conduct. In compliance with HAR § 8-60-75, within ten (10) school days of any decision to change the placement of a student with a disability, relevant members of the student's IEP team, as determined by the parent(s)/legal guardian(s) and the PCS, shall review all relevant student information, including the student's IEP, teacher observations, and related information provided by the parent(s)/legal guardian(s) to determine:
  - a. If the conduct was caused by or had a direct and substantial relationship to the student's disability; or
  - b. If the conduct in question was the direct result of the PCS's failure to implement the IEP. If so, the PCS shall take immediate steps to remedy those deficiencies.
2. The PCS shall not suspend or crisis remove a SPED student for more than ten (10) cumulative days in a school year without first doing a manifestation determination. Until a manifestation determination is done, the student remains in the PCS unless:
  - a. The incident meets the criteria for placement into an Interim Alternative Educational Setting (IAES), and
  - b. The PCS is authorized to place the SWD in the HIDOE IAES.
3. If, after conducting a manifestation determination, the PCS determines that the behavior is a result of the disability, then **NO** disciplinary action can be taken against the student.<sup>3</sup> The PCS shall either:
  - a. Conduct a functional behavioral assessment (FBA), unless an FBA was developed prior, and implement a BIP for the student; or
  - b. If a BIP has been developed, review and modify the BIP as necessary to address behavioral concerns.
4. If, after conducting a manifestation determination, the behavior is determined NOT to be a manifestation of the student's disability, the PCS may apply the same disciplinary procedures that would apply to students without disabilities.

---

<sup>3</sup> Placement in an IAES may still occur if the incident meets the criteria for such placement in an IAES as placement in an IAES is not a disciplinary action.

- a. A SPED student removed from the current placement shall continue to receive educational services to enable the student to participate in the general education curriculum and progress towards meeting the student's IEP goals; and
  - b. FBA, behavioral intervention services, and modifications are to be designed to address the behavior violation so that it does not reoccur.
5. The CAS will review the disciplinary incident record of a SPED student suspended or removed for more than ten (10) cumulative days to ensure adherence to all procedural safeguards.

## **Restraint and Seclusion**

1. PCS will comply with the HDOE's directive that no corporal punishment may be inflicted upon any pupil by any school personnel. For purposes of this section, corporal punishment shall mean the paddling, spanking, or otherwise striking of a pupil by any school personnel. Failure of a teacher to comply with this directive may result in disciplinary action.
2. The teachers are responsible for maintaining an environment in the school that is conducive to the physical, social/emotional, and mental well-being of all students and shall follow the following if a conflict is observed:
  - a. Identify potential times and situations that may lead to conflict;
  - b. Increase supervision when appropriate;
  - c. Change schedule; and
  - d. Change assigned classrooms, recess areas, seating locations such as lunchrooms.

### **Recommended Strategies:**

- School culture will be improved, and the need for restraints will be reduced when the student's voice is valued, and the needs of the whole child are addressed. Schools should ensure that every student has equitable access to student support services. Student's should be provided with appropriate services necessary to meet their individual needs;
  - Along with the Safety-Care strategies, "*Help, Prompt, Wait*," schools should employ a wide array of prevention and intervention strategies to prevent and minimize challenging behaviors; and
  - The State strongly believes that students are more likely to achieve and perform at higher levels when positive approaches are used. The law explicitly requires the training of evidenced-based skills relating to positive behavior interventions and supports (PBIS). For specific strategies, visit <http://www.pbisworld.com>. This site provides tiered interventions for a variety of behaviors commonly displayed in the school setting.
- f. Use of Force Policy
    - The law governing the use of force in public schools is HRS § 703-309(2). This law provides the authority for BOE Policy 305-4 and is referenced in HRS § 302A-1141.
    - The continuum for levels of appropriate force can be comprehensive depending on the circumstances of each incident.

- There are many instances in which a physical interaction will not rise to the level of physical restraint.
  - The use of force policy guides such uses of force.
  - When restraint is imposed, it must be imposed in a manner consistent with BOE policies and HRS § 703-309(2) and §302A-1141.4.
- g. Physical restraint is defined as a personal restriction, other than a chemical or mechanical restraint, that immobilizes or reduces the ability of a student to move their arms, legs, or head freely. Physical restraint may only be imposed when:
- A student's behavior poses an imminent danger of property damage or physical injury to self or others and only for so long as the danger persists;
  - Other less intrusive interventions have failed or been determined to be inappropriate for the student; and
  - The restraint imposed is not life-threatening, including a physical restraint that may restrict breathing.

Hawaii's law, HRS § 302A-1141.4, prevents the use of seclusion, or mechanical or chemical restraints as a disciplinary action for a SPED student. For more information, please refer to the *Guidelines on Duties and Responsibilities of Teachers Relating to Student Behaviors*.

## **SECTION VIII: Dispute Resolution**

Disputes on any matter relating to the provision of SPED and related services between the PCS Designee and the CAS or his/her representative or a HIDOE principal shall be handled in the following manner:

1. The PCS Designee shall schedule and meet (within 14 calendar days) with the CAS or his/her representative to resolve the dispute.
2. If the dispute cannot be resolved within 14 calendar days after the meeting, the CAS shall refer the dispute and submit relevant documents to the Superintendent to render a final disposition.



## SECTION IX: Acronyms

ACRONYM	MEANING
BIP	Behavior Intervention Plan
BOE	Hawaii State Board of Education
CAS	Complex Area Superintendent
CFR	Code of Federal Regulations
DES	District Educational Specialist
EA	Educational Assistant
ESSA	Every Student Succeeds Act
ESY	Extended School Year
FAPE	Free Appropriate Public Education
FBA	Functional Behavioral Assessment
HAR	Hawaii Administrative Rules
HIDOE	Hawaii State Department of Education
HQT	Hawaii Qualified Teacher
HRS	Hawaii Revised Statutes
IAES	Interim Alternative Educational Setting
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
LBA	Licensed Behavior Analyst
PBIS	Positive Behavior Interventions and Supports
PCS	Public Charter Schools
PPT	Para-Professional Tutor
PTT	Part-Time Temporary
PWN	Prior Written Notice
RBT	Registered Behavior Technician
SEA	State Educational Agency
SPCSC	State Public Charter School Commission
SPED	Special Education
SPPA	Special Education Per Pupil Allocation
SSC	Student Services Coordinator
SWD	Student with a Disability
SY	School Year
WSF	Weighted Student Formula

## Appendix A: Request for Nursing Services

PHN 10R – Rev 12/2012 (ST) 11/13/17 Fillable

## Appendix B: Request for Provider: Skilled Nursing Services Request/Cancellation

### REQUEST FOR PROVIDER Skilled Nursing Services Request/Cancellation

TO: Skilled Nursing Provider

RCM Health Care Services Fax (808)944-2992

FROM: School IEP/Section 504 Team

#### For Nursing Agency use only:

Service Confirmation for delivery of services to SHS  
Fax (808)733-9154 and School IEP/Section 504  
Team within two business days

Check one: ☐ Yes ☐ No

Signature \_\_\_\_\_

Date \_\_\_\_\_

Student (Last, First Name): \_\_\_\_\_ School Year: \_\_\_\_\_  
School: \_\_\_\_\_ Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Student ID: \_\_\_\_\_ Room of service: \_\_\_\_\_  
IEP/Section 504 Plan Care Coordinator: \_\_\_\_\_  
IEP/Section 504 Annual Review Date: \_\_\_\_\_

#### REQUEST TO START SERVICE:

☐ New Service ☐ Change in Service ☐ Continuing Service

☐ Continuous ☐ Classroom ☐ Itinerant/Visit

Once a week \_\_\_\_\_ Daily (School days): \_\_\_\_\_ Other: \_\_\_\_\_

Start date: \_\_\_\_\_ End Date (if known): \_\_\_\_\_

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

Skilled Nursing required on bus transport(s)? ☐ Yes ☐ No *If yes, include transport time in total Skilled Nursing Minutes below.*

Per Day: Total Skilled Nursing Minutes: \_\_\_\_\_ per day \_\_\_\_\_ Short day(s) if any, specify day(s)

Round up to the nearest quarter-hour

(Minutes per day Includes preparation, nursing assessment, treatment, evaluation, monitoring, clean-up, documentation, bus transport time)

Total minutes the same as in IEP/Section 504 Plan? (check one) ☐ YES ☐ NO *If NO, reason* \_\_\_\_\_

Required Attached Documents (check): PHN written recommendations to the IEP/Section 504 Plan team ☐ and MD Rx(s) ☐

Comments/Special Instructions:

#### REQUEST TO CANCEL SERVICE:

Cancel skilled nursing service? ☐ Yes ☐ No Effective date: \_\_\_\_\_

REASON FOR CANCELLATION: \_\_\_\_\_

Print DOE Requestor Name \_\_\_\_\_ Title (SSC, Care Coordinator, DES, RT, etc.) \_\_\_\_\_

DOE Requestor email address \_\_\_\_\_ DOE Requestor phone # \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

- Incomplete billing authorizations will not be honored.

Please distribute completed form to: Care Coordinator  
School Health Section (email: [mikeal\\_stansbury@notes.k12.hi.us](mailto:mikeal_stansbury@notes.k12.hi.us))  
Public Health Nurse (PHN)

Rev. 1/25/19  
Form RFP – SES 33

## Appendix C: Transfer of Interstate or Department of Defense Students with Disabilities into the Hawaii State Department of Education

DAVID Y. IGE  
GOVERNOR




DR. CHRISTINA M. KISHIMOTO  
SUPERINTENDENT

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

OFFICE OF THE SUPERINTENDENT

November 27, 2019

TO: Complex Area Superintendents, Principals (All), District Educational Specialists, Public Charter School Directors, Special Education Teachers

FROM: Dr. Christina M. Kishimoto  
Superintendent 

SUBJECT: **Transfer of Interstate or Department of Defense Students with Disabilities into the Hawaii State Department of Education**

**This memo supersedes the October 2, 2002 memo, "Interstate Transfer of Students with Disabilities."**

The purpose of this memorandum is to clarify the rules and regulations pertaining to educating children with disabilities, who qualify for special education services under the Individuals with Disabilities Education Act (IDEA), transferring from another state or Department of Defense (DOD) school. This does not apply to students who have an out-of-country Individualized Education Program (IEP).

The Hawaii State Department of Education (HIDOE) is to ensure that children with disabilities transferring to Hawaii public schools receive comparable services until the school conducts an evaluation and determines whether the student is eligible for special education and related services in the State of Hawaii. As the IDEA allows each state to determine its own eligibility criteria, eligibility can differ from state to state. A student transferring from another state or DOD school must be determined eligible in accordance with the criteria set by the State of Hawaii to receive special education and related services.

IDEA requires public schools to provide a student transferring from another state with access to a free appropriate public education (FAPE), including services comparable to those described in the student's most recent IEP (34 CFR § 300.323[f]). The United States Department of Education interprets "comparable services" to mean "similar" or "equivalent" to those that were described in the child's IEP from the previous public school (71 Fed. Reg. 46681 [August 14, 2006]).<sup>1</sup>

### Frequently Asked Questions (FAQs)

- 1. Must the new HIDOE school deliver identical services identified in the IEP from the previous state?**  
No, the new HIDOE school is not required to deliver identical services as described in the student's IEP from the previous state. The new HIDOE school must provide comparable services, which means services similar or equivalent to the services described in the student's IEP.

<sup>1</sup> Federal Register / Vol. 71, No. 156 / Monday, August 14, 2006 / Rules and Regulations

AN AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY EMPLOYER

2. **Who decides what constitutes comparable services for an individual student?**  
The new HIDEOE school (in consultation with the parent[s]/legal guardian[s]) decide on services comparable to those described in the student's IEP from the previous school.
3. **What is the process to determine comparable services?**
  - (1) The new HIDEOE school shall schedule a meeting within five school days with at least the following members present:
    - a. Administrator/administrative designee;
    - b. Parent(s)/legal guardian(s); and
    - c. Special education teacher to gather information, and determine comparable services.
  - (2) The new HIDEOE school must document the decision of the comparable services on the attached *Comparable Services Form*.
  - (3) Parent(s)/legal guardian(s) are given a copy of the *Comparable Services Form*.
  - (4) The original is filed in the student's confidential folder.
4. **What must the new HIDEOE school do after determining comparable services?**  
The new HIDEOE school must begin the comparable services within 10 school days and begin the **initial evaluation** process within **30 calendar days** after the student enrolls to determine if additional assessments are needed for special education eligibility determination.
5. **What should the school do if there are NO comparable services in Hawaii?**  
The school staff must consult with the District Educational Specialist (DES) and the DES will consult with the State Special Education Section should such consultation be required.
6. **If a student with an IEP transfers from out-of-state during a school break, does the new HIDEOE school provide extended school year (ESY) services?**  
If ESY is noted in the out-of-state IEP, comparable ESY services must be provided. Please adhere to the procedures established in #3 above to determine comparable services.
7. **What documents are required for the new HIDEOE school to proceed with a meeting to determine comparable services?**  
Before proceeding with the meeting, the new HIDEOE school must establish a child and parent(s)/legal guardian(s) relationship. The school needs to have the following two documents from the parent(s)/legal guardian(s) in order to proceed with the referral process (unless the family is receiving services under the McKinney-Vento Act):
  - a. Birth certificate and custody papers, if applicable; and
  - b. Student Enrollment Form *SIS-10W (Revised 12/16 SPAB)*
8. **What if the incoming IEP is expired or expires during the transfer from another state?**  
If the student transfers within the same school year, the new HIDEOE school must meet and use the expired IEP to determine comparable services to provide the child with FAPE until the new HIDEOE school either conduct an evaluation or develops an IEP.


9. **What happens if the school is unable to obtain an IEP from the previous school and/or the parent(s)/legal guardian(s)?**  
If the new HIDOE school is unable to obtain an IEP from the previous school or the parent(s)/legal guardian(s), the new HIDOE school is not required to provide special education and related services (34 CFR § 300.323[f]). It is essential that the new HIDOE school documents efforts of reaching out to the previous school and parent(s)/legal guardian(s). Note, that the new HIDOE school has an obligation under Child Find to have a meeting within 15 days if there is a suspicion of a disability.
10. **What if the parent(s)/legal guardian(s) does not inform the new HIDOE school that the child has an out-of-state IEP?**  
If the parent(s)/legal guardian(s) does not inform the new HIDOE school that their child has an IEP, the new HIDOE school is not held responsible for not providing special education services. However, the new HIDOE school has an obligation under Child Find to have a meeting within 15 days, if there is a suspicion of a disability.
11. **What should the school do if a student is deemed NOT eligible under Hawaii's eligibility criteria?**  
The student is considered a general education student, and the school team needs to discuss what other supports may be needed, if necessary.
12. **What if the parent(s)/legal guardian(s) does not consent to an evaluation for special education services while receiving comparable services?**  
If the parent(s)/legal guardian(s) does not consent for special education evaluation while receiving comparable services, the new HIDOE school must discontinue providing comparable services. The student becomes a general education student.

Should you have any questions, please contact Ms. Debra T. Farmer, Director, Exceptional Support Branch, at (808) 305-9806 or via email at [deb.farmer@k12.hi.us](mailto:deb.farmer@k12.hi.us).

CMK:rr  
Attachment

c: Deputy Superintendent  
Assistant Superintendents  
Public Charter School Executive Director  
Office of Student Support Services

## Appendix C - Attachment

 <p>State of Hawaii  <b>DEPARTMENT OF EDUCATION</b>          Office of Student Support Services          Special Needs Section</p>	<h1>Comparable Services Form</h1>
---	-----------------------------------

### I. IDENTIFYING INFORMATION

Student Name:		Student ID:	School:
Start Date:	End Date: In consultation with the parent(s)/legal guardian(s), the Department of Education agrees to provide comparable services until: <input type="checkbox"/> An initial evaluation has been completed <input type="checkbox"/> An IEP has been developed, adopted and implemented <input type="checkbox"/> Student has been deemed NOT eligible		DOB:      Grade:
For ages 14+: • Regular Diploma or • Certificate of Completion	Parent(s)/Legal Guardian(s) Name(s):		Address:
	Parent(s)/Legal Guardian(s) Phone(s):		

### II. SPECIAL EDUCATION AND RELATED SERVICES

Service	Frequency & Duration	Location	ESY
		<input type="checkbox"/> General Ed <input type="checkbox"/> SPED	<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> General Ed <input type="checkbox"/> SPED	
		<input type="checkbox"/> General Ed <input type="checkbox"/> SPED	
		<input type="checkbox"/> General Ed <input type="checkbox"/> SPED	
		<input type="checkbox"/> General Ed <input type="checkbox"/> SPED	

### III. ACCOMMODATIONS AND MODIFICATIONS

Specific Accommodation and/or Modification	Frequency & Duration	ESY
		<input type="checkbox"/> YES <input type="checkbox"/> NO

### IV. SUPPORT FOR SCHOOL PERSONNEL

Service	Frequency & Duration	Location	ESY
			<input type="checkbox"/> YES <input type="checkbox"/> NO

### V. PARTICIPANTS/ATTENDEES

Position	Participant/Attendee	Date
Parent(s)/Legal Guardian(s)		
Special Education Teacher		
Administrator/Designee		
Other (specify)		

**Distribution:** Parent(s)/Legal Guardian(s)    School: Confidential File

RS 20-0547, October 2019



## Appendix D: New Casual Employee Job Classification Paraprofessional Educator and Changes to Casual Employee Job Classification for Part-Time Teacher and Paraprofessional Tutor

DAVID Y. IGE  
GOVERNOR




DR. CHRISTINA M. KISHIMOTO  
SUPERINTENDENT

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

OFFICE OF TALENT MANAGEMENT

April 1, 2019

TO: Assistant Superintendents  
Complex Area Superintendents  
Principals (All)  
State Public Charter School Directors  
Program Directors  
Secretaries  
School Administrative Services Assistants

FROM: Cynthia A. Covell   
Assistant Superintendent

SUBJECT: **New Casual Employee Job Classification Paraprofessional Educator and Changes to Casual Employee Job Classification for Part-Time Teacher and Paraprofessional Tutor**

A new casual employee paraprofessional job classification Paraprofessional Educator (PPE) has been established effective immediately. This new classification reflects instructional support duties and functions that were previously classified in the Part-Time Teacher (PTT) job classification. This change follows a review of the PTT and Paraprofessional Tutor (PPT) job functions. Based on the review it was determined that a new casual job classification was necessary to distinguish the varying complexity and variety of work being performed at different levels, along with the required level of knowledge and skills needed to perform each of the jobs. The new PPE and the updated PTT and PPT better align the casual personnel to the duties and functions in similar classes of work of certificated and classified personnel. Highlights of the new PPE and changes to the PTT and PPT are listed below:

### **PPE Direct Instructional Support (DIS):**

1. PPEs work under the direct supervision and in close proximity of a regular classroom teacher to provide instructional support to a student or group of students.
2. The PPE (DIS) casual personnel must meet the Every Student Succeeds Act (ESSA) paraprofessional requirement(s).
3. Only PPEs who meet the paraprofessional requirements may be hired as a PPE (DIS), except for PPEs who exclusively conduct parental involvement activities.
4. The pay rate for a PPE (DIS) is \$20.67 per hour (this is the prior PTT class B rate).

### **PPE Non-Instructional Duties (NID):**

1. PPE (NID) works under the direct supervision of a regular teacher and provides non-instructional support related to instructional curriculum.
2. PPE (NID) must have a minimum of a high school diploma or an alternative to a high school diploma.
3. The pay rate for the PPE (NID) is \$19.89 per hour.

AN AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY EMPLOYER



Changes to the PTT and PPT effective July 1, 2019:

**Part-Time Teacher (PTT):**

1. PTT (DIS) will no longer be used and has been removed from the functions of PTTs. Instructional support duties and functions are available in the paraprofessional job classes for both the PPE and the PPT.
2. PTTs must have a minimum of a Bachelor's degree from a regionally accredited institution of higher education. Therefore, only one PTT level and pay rate will be used. Consequently, PTT Class B will no longer be an option.
3. PTTs who provide Direct Instruction (DIN) must meet the Hawaii Qualified Teacher (HQT) requirements. PTT must be HQT to be paid from Title I funds.
4. For PTTs (DIN) who do not meet the HQT requirements, and who are teaching for four or more consecutive weeks will require schools to provide parents with timely notice when their child is taught for four or more consecutive weeks by a teacher who is Not Hawaii Qualified (NHQ).
5. The PTT pay rate will remain at the Class A rate of \$22.43 per hour.

**Paraprofessional Tutor (PPT):**

1. PPTs must have a minimum of a high school diploma or an alternative to a high school diploma.
2. PPTs (DIS) pay rate will increase to \$16.99 per hour.
3. PPTs (NID) pay rate will remain at \$13.88 per hour.

The complete Functions and Qualification Requirements for Casual Hire PTT, PPE, and PPT are attached.

The new PPE job classification in the Casual Personnel System (CPS) is in the process of being set up. In addition, changes to accommodate the pay rate change for the PPT (DIS) are also in the process of being updated. Additional information and procedures will be provided as soon as the CPS updates for the new PPE and PPT pay rate are completed.

Should you have any questions, please contact the Educator Quality Section, Office of Talent Management (OTM) at (808) 441-8499 or via email at [hqt@notes.k12.hi.us](mailto:hqt@notes.k12.hi.us).

CAC:ct  
Attachment

c: Superintendent  
Deputy Superintendent  
Monitoring and Compliance  
School Transformation Branch  
ESSA Title Program Managers  
State Public Charter School Commission  
OTM – Personnel Regional Officers, Teacher Recruitment, Teacher Reclassification, CSSP Recruitment,  
Educator Quality

Appendix D  
Appendix D - Attachment

**Hawaii Department of Education (HIDOE)**  
**Functions and Qualification Requirements for Casual Hire**  
**Part-Time Teachers (PTT), Paraprofessional Educator (PPE) and Paraprofessional Tutor (PPT)**

Part-Time Teacher (PTT)				
Job Title	Function of PTT	Qualification Requirement for PTT	Title I Eligibility	Hourly Pay Rate
PTT	<b>Direct Instruction (DIN)<sup>1</sup></b> The PTT teaches a student or group of students independent of a regular classroom teacher, during instructional hours or non-instructional hours, such as: <ol style="list-style-type: none"> <li>1. Assigned as the teacher of record,</li> <li>2. Provides pull-out instruction,</li> <li>3. Provides after-school enrichment,</li> <li>4. Provides non-graded activities, or</li> <li>5. Provides remedial instruction.</li> </ol>	Must be teacher licensed in the subject(s) taught <b>or</b> meet Every Student Succeeds Act (ESSA) teacher qualification requirements (i.e. HQT) in the subject(s)*.  HQT requirements and guidelines are available on the educator quality website: eq.k12.hi.us  Schools are required to provide parents with timely notice when their child is being taught for four or more consecutive weeks by a teacher who is Not Hawaii Qualified (i.e. NHQ).	*Eligible for Title I funding	\$22.43
	<b>Non-Instructional Duties (NID)</b> The PTT does not provide instruction to students and performs non-instructional duties such as: <ol style="list-style-type: none"> <li>1. Technology Coordinator;</li> <li>2. Researches and recommends class materials and resources;</li> <li>3. Assists in the development of curriculum, lesson planning, or assessments;</li> <li>4. Coordinates programs.</li> </ol>	Must hold a valid Hawaii Teacher License* or meet <b>Class A**</b> requirements of a Bachelor's degree from a regionally accredited institution of higher education.	*Eligible for Title I funding  <b>**Not Eligible for Title I funding</b>	\$22.43

<sup>1</sup> Direct instruction is defined as:

- Planning curriculum, delivering instruction, and evaluating the performance of the student in any subject area,
- Providing direct instruction in a subject area in a resource room setting,
- Providing direct instruction in a subject area in any setting, and
- Teaching elective credits/non credit in a subject area.

Appendix D - Attachment

<b>NEW: Paraprofessional Educator (PPE)</b>				
<b>Job Title</b>	<b>Function of PPE</b>	<b>Qualification Requirement for PPE</b>	<b>Title I Eligibility</b>	<b>Hourly Pay Rate</b>
<b>PPE</b>	<b>Direct Instruction (DIN)</b> Not applicable, PPEs do not provide direct instruction	Not applicable, PPEs do not provide direct instruction		
	<b>Direct Instructional Support (DIS)</b> The PPE, under the direct supervision and in close and frequent proximity of a regular classroom teacher, provides instructional support to a student or group of students by: <ol style="list-style-type: none"> <li>1. Provides one-on-one tutoring if such tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher,</li> <li>2. Provides instructional assistance in a computer laboratory,</li> <li>3. Provides technical support in the classroom,</li> <li>4. Provides instructional support in a library or media center,</li> <li>5. Acts as a translator, or</li> <li>6. Conducts parental involvement activities^.</li> </ol>	<p>Must meet Every Student Succeeds Act (ESSA) Paraprofessional requirements via one of the following:</p> <ol style="list-style-type: none"> <li>1. 48 semester credits, 100 level or higher from a regionally accredited institution of higher education, must have a minimum of: <ol style="list-style-type: none"> <li>a. 3 credits math, and</li> <li>b. 3 credits in English or</li> </ol> </li> <li>2. Associates degree or higher from a regionally accredited institution of higher education or</li> <li>3. Passing score of 459 or higher on the ParaPro Assessment provided by Educational Testing Service</li> </ol> <p>PPEs providing instructional support to English Learners must either be Hawaii Teachers of English to Speakers of Other Languages (TESOL) qualified or work under the direct supervision of a Hawaii Qualified TESOL Teacher.</p> <p><i>^ Not required to meet ESSA Paraprofessional requirements. Must have a high school diploma or an alternative to a high school diploma.</i></p>	Eligible for Title I Funding.	\$20.67
	<b>Non-Instructional Duties (NID)</b> The PPE, under the direct supervision of a regular teacher, performs non-instructional duties related to instructional curriculum. <ol style="list-style-type: none"> <li>1. Assists classroom teacher with research related to instructional student support or curriculum</li> <li>2. Gathers materials and resources related to lesson plans.</li> </ol>	<p>Must meet HIDOE qualifications for the position <b>Class B</b> – Less than a Bachelor's degree.</p> <p>Must have a high school diploma or an alternative to a high school diploma.</p>	Not Eligible for Title I funding	\$19.89

# Appendix D - Attachment

Paraprofessional Tutor (PPT)				
Job Title	Function of PPT	Qualification Requirement for PPT	Title I Eligibility	Hourly Pay Rate
PPT	<b>Direct Instruction (DIN)</b> Not applicable, PPTs do not provide direct instruction	Not applicable, PPTs do not provide direct instruction		
	<b>Direct Instructional Support (DIS)</b> The PPT, under the direct supervision and in close and frequent proximity of a regular classroom teacher, provides instructional support services to a student or group of students: <ol style="list-style-type: none"> <li>1. Assists with classroom management, including organizing instructional and other materials;</li> <li>2. Assists students in a computer laboratory;</li> <li>3. Assist students in a library or media center; or</li> <li>4. Assists with parental involvement activities<sup>^</sup>.</li> </ol>	Must meet Every Student Succeeds Act (ESSA) Paraprofessional requirements via one of the following: <ol style="list-style-type: none"> <li>1. 48 semester credits, 100 level or higher from a regionally accredited institution of higher education, must have a minimum of:               <ol style="list-style-type: none"> <li>a. 3 credits math, and</li> <li>b. 3 credits in English or</li> </ol> </li> <li>2. Associates degree or higher from a regionally accredited institution of higher education or</li> <li>3. Passing score of 459 or higher on the ParaPro Assessment provided by Educational Testing Service</li> </ol> <sup>^</sup> Not required to meet ESSA Paraprofessional requirements. Must have a high school diploma or an alternative to a high school diploma.	Eligible for Title I Funding.	\$16.99
	<b>Non-Instructional Duties (NID)</b> The PPT, under the direct supervision of a regular classroom teacher, performs non-instructional duties: <ol style="list-style-type: none"> <li>1. Duplicates and copies materials,</li> <li>2. Files, organizes, and stores materials and resources,</li> <li>3. Types reports and documents,</li> <li>4. Enters grades.</li> </ol>	Must meet HDOE qualifications for the position <b>Class B</b> – Less than a Bachelor's degree.  Must have a high school diploma or an alternative to a high school diploma.	Not Eligible for Title I Funding	\$13.88