

SB2217

Date: 02/08/2010

Committee: Senate Education and Housing

Department: Education

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

Title of Bill: SB 2217 Relating to Education

Purpose of Bill: Requires DOE to make technical assistance and training to support students with dyslexia available to teachers, educational officers, and employees providing instruction or special services for exceptional children. Requires DOE to coordinate technical assistance and training efforts with teacher preparation programs in institutions of higher learning in the State.

Department's Position: The Department of Education (Department) does not support this bill as written for two reasons. First, it is not the role of a teacher to diagnose a disability. Section 2, states (a) "...the department shall make available technical assistance and training to teachers, educational officers, and employees providing instruction or special services for the education, therapy, and training of exceptional children that shall include but not be limited to the following areas: (2) Assessment and identification of dyslexia" Per the International Dyslexia Association, "...the person should be tested by an educational diagnostician or a team of trained professionals." In addition, the Hawaii Dyslexia Association states that, "...the ideal assessment (for dyslexia), involves a variety of tests and procedures, and is made by professionals whose experience and training allow them to determine the best tests and procedures for evaluating the intellectual potential, language ability, and academic achievement of an individual child or adult." The Individuals with Disabilities Education Act (IDEA) and Hawaii Administrative Rules Chapter 60: Provision of a Free

Appropriate Public Education for a Student with a Disability requires that an evaluation be conducted using a variety of assessment tools and strategies and is sufficiently comprehensive to identify all the student's special education and related services need. Identification of students under the category of specific learning disability have additional requirements.

Second, in Section 2, (5) (c) states that, "The provision of any technical assistance and training pursuant to this section shall not preclude the department from using federal funds to implement the technical assistance and training. The availability of federal funds shall be construed as a proportionate reduction of state costs whenever possible." Professional development activities are currently supported by federal funds in addition to state funds. The use of federal funds must follow federal spending requirements. For the aforementioned reasons the Department does not support this bill as written.

**TESTIMONY IN SUPPORT OF S.B. 2217
RELATING TO EDUCATION**

February 6, 2010

Submitted by Doris Ching, Educator
Emeritus Vice President for Student Affairs, University of Hawai'i

Chair Sakamoto and Members of the Committee:

I fully support S.B.2217 and commend this committee for the proposed legislation that will address a very important and unresolved learning disability matter for students of all ages who are academically capable to learn, but not by the traditional modes of teaching and learning. This legislation will be an unprecedented, and much needed, major step toward greater awareness and coordinated statewide action to resolve a learning disability issue. It has the potential for enhancing learning and changing lives of intellectually capable individuals whose learning is hampered by a disability. This legislation will make a positive difference in the lives of numerous students, as well as to educators and parents, and will benefit the entire community. I urge you to pass S.B. 2217.

In four decades as an educator in lower and higher education, I observed and worked with students who struggled with frustrations and disappointments because of dyslexia and other reading disabilities. Oftentimes, neither they nor their teachers and parents were aware of the presence of the disability. As a graduate student, I voluntarily took college courses to educate myself on the issue and was gratified to discover teaching techniques and strategies to help these students in the classroom. Helping students with dyslexia and reading disabilities succeed academically brought enormous fulfillment to me as an educator, as well as to the student. My regret was not having the skills earlier in my career to recognize the problem and select appropriate teaching strategies and materials. I am confident that parents, students and other educators would be grateful to see similar eventual results of S.B. 2217. Our students with dyslexia and reading disabilities deserve to have teachers who understand and can address the gamut of teaching and learning—including dyslexia and reading disabilities—that can be addressed in the classroom.

I believe the desired positive impact of this legislation will be best achieved with support of educators and interested groups. This can be accomplished by a task force to study the issues and recommend strategies for addressing them. The task force may include interested and knowledgeable representatives of teacher associations, Hawai'i Department of Education, private school association, colleges and universities, and other relevant community organizations. I am inspired and encouraged by your interest in this important issue. Thank you for this opportunity to write in support of S.B. 2217.

From: Elizabeth Ann Ishii [EAIshii@Lawcsilc.com]
Sent: Saturday, February 06, 2010 6:24 PM
To: EDH Testimony
Subject: Testimony in Support of SB2217
Attachments: image001.gif

Importance: High



Before the Senate Committee on Education and Housing

DATE: Monday, February 8, 2010
TIME: 1:45 PM
PLACE: Conference Room 225

Re: SB2217 Relating to Education

Ladies and Gentlemen:

I am the president of the Hawai'i Branch of the International Dyslexia Association ("HIDA"). HIDA's mission is to increase awareness of dyslexia in the community, provide support for dyslexics, families and educators, promote teacher training and improve literacy for struggling readers throughout Hawai'i.

HIDA submits this testimony in support of SB2217. SB2217 requires the Department of Education to make technical assistance and training to support students with dyslexia available to teachers, educational officers, and employees providing instruction or special services for exceptional children.

HIDA believes SB2217 is a tremendous step forward in promoting awareness of the challenges faced by dyslexic children in Hawai'i, and in the training of educators to teach and support dyslexic children. However, HIDA believes SB2217 should also provide that the Department of Education, local universities and colleges, and other relevant and knowledgeable community organizations and individuals, work together to analyze and determine the best methods to implement the intent of SB2217.

On a personal note, I am the parent of a 14-year old dyslexic son. With 10% to 20% of the population struggling with dyslexia or another reading disability, there are many, many concerned parents here in Hawai'i. As such, I thank the legislature for SB2217.

HIDA looks forward to engaging in positive dialog with the legislature on the education of children with dyslexia and other struggling readers.

Very truly yours,

**Elizabeth Ann Ishii
President, HIDA**

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From: kandmhiga@hawaii.rr.com
Sent: Saturday, February 06, 2010 1:33 PM
To: EDH Testimony
Subject: Re: SB 2217 Relating to Education

Before the Senate Education and Housing Committee Re: SB2217 Relating to Education

I am the parent of two dyslexic children, have a master's degree in Counseling Psychology and am the Program Manager for the Hawai'i Branch of the International Dyslexia Association (HIDA).

I feel that SB2217 is a great step forward in raising people's awareness about dyslexia and the challenges faced by dyslexic children, including my own, in school.

I believe that, before legislation such as SB2217 is passed to provide greater assistance to children with dyslexia or other reading disabilities, it would be prudent to have further analysis of the best manner in which to address the problem. This task should be given to concerned and knowledgeable groups including the state Department of Education, State universities and colleges, and other relevant community organizations.

I look forward to engaging in positive dialog with the legislature on assistance for children with dyslexia.

Margaret J. Higa
email: kandmhiga@hawaii.rr.com

sakamoto2 - Erin

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 05, 2010 4:45 PM
To: EDH Testimony
Cc: DTCH@hawaii.rr.com
Subject: Testimony for SB2217 on 2/8/2010 1:45:00 PM

Testimony for EDH 2/8/2010 1:45:00 PM SB2217

Conference room: 225
Testifier position: support
Testifier will be present: No
Submitted by: Margarette Pegi Minicola Pang
Organization: Dyslexia Tutoring Center of Hawaii, Inc. (DTCH)
Address: 91-2135 Fort Weaver Road, Clinical Services Center, Suite 180 Ewa Beach, Hawaii 96706
Phone: 808-676-5515
E-mail: DTCH@hawaii.rr.com
Submitted on: 2/5/2010

Comments:

I think this is a great start and and it should be the focus for a DYSLEXIA Task Force. The development, information, outcome, and data gathered can make this a great working bill for the State of Hawaii.

HAWAII DISABILITY RIGHTS CENTER

900 Fort Street Mall, Suite 1040, Honolulu, Hawaii 96813

Phone/TTY: (808) 949-2922 Toll Free: 1-800-882-1057 Fax: (808) 949-2928

E-mail: info@hawaiidisabilityrights.org Website: www.hawaiidisabilityrights.org

THE SENATE THE TWENTY-FIFTH LEGISLATURE REGULAR SESSION OF 2010

Committee on Education and Housing Testimony in of S.B. 2217 Relating to Education

**Monday, February 8, 2010, 1:45 P.M.
Conference Room 225**

Chair Sakamoto and Members of the Committee:

I am Louis Erteschik, Staff Attorney at the Hawaii Disability Rights Center, and am testifying in support of this bill.

We believe it is important that the DOE train its personnel to provide proper education to students with dyslexia. Our experience with the DOE is that in general it has done a very poor job of educating students with disabilities. We represent many, many students with disabilities in Special Education litigation and are quite familiar with the DOE and its programs that are available to students with disabilities. They tend to be very resistant to complying with their obligation to provide a Free Appropriate Public Education as they are required to under the Federal Individuals with Disabilities Education Act.

Passage of this bill would be a slight step in the right direction for a very targeted group of students that often may be quite bright but get misdiagnosed because of a lack of knowledge about dyslexia. In fact, we would, in the future, like to see a bill such as this expanded to encompass other disabilities such as autism, which sadly the DOE is totally unable to address and is a problem afflicting many more students than is dyslexia.

Thank you for the opportunity to testify in support of this measure.

Testimony
Senate Bill 2217

Senator Sakamoto and members of the Senate Committee on Education,

I am Gerald Suyama, former principal of Pearl City High School, and I am here today to testify in favor of SB 2217.

Dyslexia is a learning condition that has affected thousand of people throughout our state and country. It is a condition, that if not recognized and addressed will prevent people from reading at the level that is needed to function in our democratic society. Frustration, fear, and shame are the emotions, which haunt the individuals every day of their lives. Self-esteem is affected. Social interaction becomes difficult. And self-destructive behavior is often the norm.

The proposal in SB 2217 is to form a task force that will address the issues surrounding dyslexia. The initial task will be to find ways to bring awareness to the general public, and training to the various agencies, whose clients are directly affected by dyslexia. These agencies include schools, teacher training institutions and correctional institutions.

I ask for your favorable consideration on SB 2217.

Thank you.

From: Swkowen@aol.com
Sent: Sunday, February 07, 2010 11:12 AM
To: EDH Testimony
Subject: SB2217 Relating to Education

Before the Senate Committee on Education and Housing

Date: Monday February 8, 2010

Time: 1:45 p.m.

Place: Conference Room 225

Re: SB2217 Relating to Education

Ladies and Gentlemen:

I am submitting this testimony in support of SB2217. The delivery of services to students in Hawai`i with dyslexia is of the utmost importance to our community and to me.

I am an attorney who, for ten years, served as a member of the Board of Directors of the International Dyslexia Association (Baltimore, MD), the premier scientific research organization dedicated exclusively to the study and treatment of dyslexia. I am the only person from Hawai`i to have served on this Board of Directors. I am also a member of the Board of Directors of Assets School in Honolulu.

My experience with dyslexia is also personal: I am the mother of two adult children who were diagnosed with dyslexia in 2nd grade and kindergarten. My children attended independent and public schools in Hawai`i. Without the expenditure of significant personal time and family resources, these men would not be the successful (college graduate), contributing members of society they are today.

Dyslexia affects more children in our State than all the other, more visible and well-known childhood conditions and physical challenges *combined*. For 20 years, I have been intensely involved with the issue of dyslexia in Hawai`i. I know from both a knowledge of the scientific research, and from professional and personal experience, that early identification and appropriate instruction are absolutely essential for addressing this significant educational issue.

SB2217 is a dramatic step towards greater awareness of dyslexia in our community. Training of educators to teach and support students with dyslexia and other reading disabilities is not only critical to the success of these students, but essential for the economic and social well-being of our State. Too many under served dyslexic children end up in prison, develop problems with drugs, and remain under- or un-employed. Addressing the needs of these students in their early school years is cost-effective when compared to the financial drain on our economy and social services when left un-addressed.

However, despite my enthusiasm for the direction and goals of SB2217, my experience in this area has taught me that community organizations and knowledgeable individuals need to *collaborate* to study the current local practices regarding the identification and treatment of dyslexia, before together proposing a "best practices

model" to address this complex issue. Partners in this process should include local universities that provide teacher education, the Department of Education, and other organizations which understand and promote best practices (such as the Hawai`i Branch of the International Dyslexia Association and Assets School).

In the words of Sally Shaywitz, M.D., Co-director of the Yale Center for the Study of Learning and Attention, *"We now know that dyslexia affects one out of every five children- ten million in America alone. In every neighborhood and in every classroom worldwide there are children struggling to read. For many affected children dyslexia has extinguished the joys of childhood."*

I encourage the legislature to move forward expeditiously with legislation geared to better addressing the issue of dyslexia in our schools and commend the legislature on initiating this process by SB2217.

Susan Walker Kowen, J.D
Communication and Development Consultant
2334 Ferdinand Avenue
Honolulu, Hawai`i 96822

Testimony in Support of SB 2217 (with amendments)

I commend Senator Sakamoto and the Education Committee for taking action to help improve the education and remediation of the many students in Hawaii with dyslexia and other struggling readers.

Senate Bill 2217 is a great step. I urge you, however, to amend SB 2217 to create a task force that would develop a comprehensive public policy and would draft legislation to implement the policy.

The Department of Education developed a pilot project for certain students with dyslexia. With research-based intervention, there were students with dyslexia who were able to reach and exceed grade level, and "graduate" out of special education. The Board of Education eliminated its state-wide research-based training program because of budgetary constraints in 2009. Unfortunately, it now often is a matter of fortuity whether or not a student attends a school, and is placed, with a teacher who has been trained in research-based intervention.

National research and programs in Hawaii and elsewhere indicate that successful implementation of a well-crafted policy will result in fewer struggling readers, an increase in successful students with higher test scores, and more effective use of educational resources. This will result in cost savings for the Department of Education and State. Hawaii has the opportunity to make great strides.

I urge you to continue your support of SB 2271 with the amendments described below:

1. The amendment should create a task force that brings together the Department of Education, University of Hawaii College of Education, the Hawaii Branch of the International Dyslexia Association, and other experts in the field of dyslexia and reading.
2. The task force should be charged with developing a comprehensive public policy to strengthen education and remediation of students with dyslexia and other struggling readers.
3. In addition to the issues addressed in the current version of SB 2217, the task force should develop a program to include the following:
 - early assessment and identification of struggling readers and students with dyslexia;
 - use of a tiered continuum for research-based instructional intervention within the Response to Intervention model;
 - evidence-based progress monitoring;
 - research-based interventions consistent with guidelines established by the federal Partnership For Reading;
 - practicum experience for newly trained-educators; and
 - consistency with federal law regarding eligibility and services for those with specific learning disabilities.
4. The task force also should be charged with the following:
 - considering current educational policies, practices and training applicable to general, compensatory, gifted and special education;
 - reviewing existing dyslexia-related legislation in other jurisdictions; and
 - drafting legislation to implement the task force recommendations.

Thank you.

Mary Wong

February 8, 2010

sakamoto2 - Erin

From: Janehono@aol.com
Sent: Sunday, February 07, 2010 4:38 PM
To: EDH Testimony
Subject: SB2217

To: Senate Education and Housing Committee, Senator Norman Sakamoto, Chair
Date: Monday, February 8, 2010
Time: 1:45 p.m.
Place: Conference Room 225
Re: SB2217

Senators:

I am the parent of a thirty seven year old dyslexic daughter. If left to the system, our daughter would have grown up thinking she could never read well and would have struggled to even finish high school. Today she has a Master of Arts degree and an undergraduate degree in English. We had her tested privately when she was in fifth grade and discovered she had a gifted I.Q., but her language skills were those of a second grade student. Thousands of students like our daughter are in our school system, but their parents may not know to have them tested, and the teachers usually don't know either. Even if they do discover learning problems, teachers usually don't know how to fix these problems.

My daughter was lucky. I knew about a remedial program for teaching reading to dyslexic students (the same kind as used at ASSETS School), and I went to Texas for three summers to learn to teach her. Because of the success we experienced, I started teaching other students in public and private schools and have been doing so for twenty four years. There are not enough trained teachers though.

I was very excited to see legislation, SB2217, addressing the needs of children with dyslexia and other reading disabilities. I do feel the problem is so complex and has not been considered for such a long period of time, that a committee needs to be formed to study the issue. We have private schools, the DOE, the University of Hawaii, and private colleges, as well as community organizations such as HIDA and LDAH who can provide information. Together they can work out all the intricacies needed to adequately take care of this unserved portion of our population. We have a good beginning here; it just needs a little more work.

Thank you very much for your work on behalf of education for our children in Hawaii. I ask that you continue your work on SB2217 addressing the needs of our dyslexic and reading disabled children in Hawaii.

Jane S. Anderson
Academic Language Therapist
2658 Hillside Ave.
Honolulu, HI 96822