November 27, 2017

TO: Deputy Superintendent, Complex Area Superintendents, District Educational Specialists, Principals (All), Public Charter School Directors (All)

FROM: Dr. Christina M. Kishimoto
Superintendent

SUBJECT: Authority for Special Education in Hawaii Public Schools

This memorandum supersedes the August 9, 2005 memorandum, “Authority for Special Education in Hawaii Public Schools.”

On May 5, 2005, the Board of Education (BOE) designated the Superintendent of the Hawaii State Department of Education (HIDOE) as its agent to oversee the implementation and compliance with all federal and state laws of special education services in all public schools, including public charter schools (hereafter, collectively referred to as Public Schools), regarding the provision of special education and related services.

The Superintendent, acting in the capacity as the State Educational Agency, shall maintain the direct line of authority for the implementation of the Individual with Disabilities Education Improvement Act (IDEA) and Hawaii Administrative Rules (HAR), Chapter 60 for all Public Schools. The Superintendent shall be responsible for the provision of a free appropriate public education. (See attachment, “Revised Authority for Special Education in Hawaii Public Schools (HIDOE and Public Charter Schools).”)

The Superintendent has given the Complex Area Superintendent (CAS) authority to oversee matters related to implementation, compliance, and monitoring of special education students within his/her complex and to further serve as the direct line of authority to all Public Schools within their complex. The CAS and the supporting complex area office(s) are to provide support related to special education, related services and technical assistance for students with disabilities in all Public Schools.

Further, the Office of Curriculum, Instruction and Student Support is authorized to provide technical assistance pertaining to implementation. The Monitoring and Compliance Office oversees the
compliance monitoring of services for students with disabilities and serves as a liaison to the State Public Charter School Commission.

If you have any questions, please call Dr. Christina Tydeman, Director, Monitoring and Compliance Office, at (808) 586-3447 or via Lotus Notes.

CMK:CKT:md
Attachment

c:  Assistant Superintendents
    Superintendent's Office Directors
    Holly T. Shikada, Deputy Attorney General
    Charter School Governing Boards
    State Public Charter School Commission
    Office of Curriculum, Instruction and Student Support
    Monitoring and Compliance Office