



## **HAWAII DISABILITY RIGHTS CENTER**

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May 21, 2020

Via Electronic Mail to: [christina.kishimoto@k12.hi.us](mailto:christina.kishimoto@k12.hi.us)

Christina Kishimoto  
Superintendent  
Hawaii Department of Education  
1390 Miller St.  
Honolulu, HI 96813

### **Re: Summer School Needed for Students with IEPs and 504 plans**

Dear Superintendent Kishimoto:

The Hawaii Disability Rights Center is a nonprofit organization that protects the legal rights of persons with disabilities. We are also the authorized state designated agency responsible for advocating for the protection of persons with disabilities and protection of their human rights.

We were encouraged to hear this afternoon that the Board of Education approved the Department's proposal to provide in-person summer school. However, we encourage you to take necessary action to broaden the category of students eligible for in-person summer school to include all students with IEPs and 504 plans. The limitation to students with ESY services in their IEPs is very restrictive. It is our experience that very few children with IEPs have ESY services.

Although few children with IEPs and 504 plans have ESY services, most of these children have difficulty taking advantage of distance learning. Children with IEPs and 504 plans are the children most likely to be behind academically before the schools closed in March. They are the ones most likely to be even further behind when they go back to regular school. They are the ones who need in-person summer programs. We ask that you take all reasonable measures to increase the number of summer school positions so these children can be served.



Many special needs students and their parents have been under enormous stress since school closed in March. The parents are simply unable to meet the educational needs of their special needs children. They cannot fill in to play the role of trained teachers, speech and occupational therapists, counselors, skills trainers and behavior technicians. Many of these parents are also working and those who are not working are often stressed with financial worries and/or have multiple children to care for. As we raised in our last letter to you, and you addressed in your Star Advertiser Column on May 10<sup>th</sup>, many of these families also lack internet access and cannot take advantage of online distance learning opportunities.

We ask that you take all reasonable action to enlarge the pool of children who can attend in- person summer school and communicate this to the community. We hope that you can use the CARES act to finance this in-person summer school.

We also ask that you instruct teachers and/or other appropriate school staff to directly contact the parents of special needs children and discuss with them the in-person summer school program and see if their children can attend.

We know that many parents of special needs children are anxiously awaiting the day when their children can return to school and return to learning the skills they need to be successful as adults. We urge you to help these children return to school as soon as possible.

Sincerely yours,



Louis Erteschik, Esq. *by JJP*

Executive Director

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Cc: Board of Education:

Catherine Payne, Chairperson

Brian De Lima, Vice Chairperson