

HAWAI'I STATE

# Department of Education

*Special Education Excellence: Building Robust Systems for Student Success and Compliance*

SPCSC 2026 Spring Training, April 16, 2026  
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Brikena White, Administrator





# Today's Objectives

- Understand the Individuals with Disabilities Education Act (IDEA) and Hawai'i Administrative Rules (HAR), Chapter 60 compliance requirements.
- Review expectations/regulations for evaluations, Individualized Education Programs (IEPs), and Manifestation Determinations.
- Identify common errors to prevent future findings.



# Overview of Compliance Indicators/Requirements

Indicator	Focus	What it Measures	Why it Matters
11	Child Find - Timely Initial Evaluations	Initial evaluations and eligibility must be determined within 60 calendar days of parental consent	Access to services
12	Transition from Part C to Part B - IEPs Developed by the 3rd Birthday	An IEP must be developed and implemented by student's 3rd birthday	Smooth transition to preschool or other appropriate services.
13	Secondary Transition Planning	IEPs of students aged 16 and above must contain the <a href="#">8 components</a>	Post-school success: Successful adult outcomes
	IEP Development & Implementation	Within <u>15 days</u> school receives parental consent for initial provision of services, and within <u>30 days</u> of eligibility determination, a meeting must be held to develop the IEP. IEP must be implemented as written.	Ensuring access to services - provision of FAPE. IEP is a legally binding document.
	Manifestation Determination	Whether a student's conduct was caused by or a direct result of their disability or a failure to implement the IEP.	Ensures students receive appropriate behavioral supports rather than exclusionary discipline for disability-related needs.



# Initial Evaluations - Indicator 11

Evaluations must be completed and eligibility must be determined within 60 calendar days from the date of a parent's written consent, unless the reason for delay meets an exception outlined in IDEA ([34 CFR 300.301 \(d\)](#) and [34 CFR 300.309 \(c\)](#)).

(1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation.

A school's failure to meet IDEA's child find requirements is a serious matter that could result in denying a free appropriate public education (FAPE) to a child who is eligible for special education services. The failure to identify a child within the 60 calendar days may entitle the child to compensatory education or tuition reimbursement.



# Timely & Comprehensive Evaluations

- Manage the 60-day timeline and ensure evaluations are completed within the timeline, and document any delays in the electronic system database.
- Must be sufficiently comprehensive to identify all of the child's special education needs. 34 C.F.R. § 300.304(c)(6).
- Must assess students in all areas related to the suspected disability. 34 C.F.R. § 300.304(c)(4).
- Review existing evaluation data on the child including evaluations and information provided by the parents of the child. 34 C.F.R. § 300.305(a)(1)(i).
- Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent to assist in determining whether the student is a child with a disability. 34 C.F.R. § 300.304(b)(1)(i).



## Key Questions for Schools

- Have you developed resources to help parents and community partners understand how to submit a high-quality referral (e.g., who to make the request to, what information might be helpful to include)?
- Have you trained all relevant staff members on the evaluation procedures, including how to determine if an initial evaluation is necessary?
- Are staff trained to inform parents about their obligation under the procedural safeguards to be involved and contribute in a timely manner?
- Do you have a process in place to review and analyze referral data, and to ensure all of the initial evaluations are completed within the timeline?
- Do you document and analyze reasons for delay and conduct a root cause analysis?



## Transition from Part C to Part B - Indicator 12

Indicator 12 ensures that children referred by Part C, who are found eligible for Part B, have an IEP developed and implemented by their third birthday.

- Schools must comply with IDEA regulations ([34 CFR 300.124](#) and [34 CFR 300.323](#)).
- Children referred from Part C must be evaluated in a timely manner to determine eligibility and receive special education and related services.
- Evaluations that are not completed within the required timeline may result in a delay or denial of a [FAPE](#).



## How to Avoid Delays?

- Collaborate with your DES and 619 RTs and Part C to facilitate prompt referrals and information sharing.
- Prioritize and expedite evaluations without unnecessary delays.
- Schedule IEP meetings proactively in advance.
- Ensure to document the reason for delay.



# Indicator 13 - Postsecondary Transition

8 Components, 4 Areas

	Education	Training	Employment	Independent Living Skills
Appropriate measurable postsecondary goals	✓	✓	✓	as appropriate
Postsecondary goals (PSGs) updated annually	✓	✓	✓	✓
Age-appropriate transition assessments	✓	✓	✓	✓
Transition services enable to meet PSGs	✓	✓	✓	as appropriate
Courses of study enable to meet PSGs	✓	✓	✓	as appropriate
Annual IEP goals related to transition services	✓	✓	✓	as appropriate
Student invited to IEP meeting	✓			
Representative from participating agency invited to IEP meeting	as appropriate			



# Indicator 13 IEP Audits

## Criteria for reviewing transition planning in the IEP:

- Did the IEP team adhere to the procedural requirements of IDEA?
- Was the IEP reasonably calculated to enable a student to make progress?
  - Particularly focusing on:
    - copying and pasting from the previous IEP,
    - using boilerplate language, and
    - misalignment between student's present levels/preferences/interests/strengths/needs, IEP annual goals, transition services, and postsecondary goals.
- All 8 components must meet the requirements in order for an IEP to be compliant.
- We recommend that staff utilize the Indicator 13 checklist when developing and reviewing IEPs.

**NTACT THE COLLABORATIVE** National Technical Assistance Center on Transition

**NTACT-C Indicator 13 Checklist – Form B (Enhanced for Professional Development)**

Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age-appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs.

There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority. (20 U.S.C. 1416(a)(3)(B)).

**1. Is there an appropriate measurable postsecondary goal or goal?**

Postsecondary Goals	Yes	No	NA
Training	Y		
Education	Y		
Employment	Y		
Independent Living Skills	Y		

- Can the goal(s) be counted?
- Will the goal(s) occur after the student graduates from school?
- Based on the information available about this student, do all of these goals seem appropriate for this student?

If yes to all three guiding questions above, then circle Y OR if a

**2. Are the postsecondary goals updated annually?**

Postsecondary Goals	Yes	No	NA
Training	Y		
Education	Y		
Employment	Y		
Independent Living Skills	Y		

- Were the postsecondary goals addressed/ updated in conjunction with the IEP?

If yes, then circle Y OR if the postsecondary goals were not updated

### Indicator 13 – Secondary Transition Requirements & eCSSS Documentation

Indicator 13 measures the percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age-appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority. (20 U.S.C. 1416(a)(3)(B)).

**Secondary Transition IEP File Review Checklist**

This Indicator 13 Checklist tool is designed to guide Complex Area and school staff on the required eight components for each secondary transition IEP and the required evidence for documentation. For the transition IEP to meet compliance, each question pertaining to the required component must be marked "Yes" or "Not Applicable/NA." (As appropriate) in addressing the transition areas of Education, Training, Employment, and Independent Living.

Appropriate Measurable Postsecondary Goal(s)

Updated Annually

Age-Appropriate Transition Assessment(s)

Transition Services

Courses of Study

Annual IEP Goal(s)

Student Invited

Participating Outside Agency Meeting

Mark an X in the appropriate box:	Indicator 13 Requirements:	eCSSS Documentation:															
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Yes</th> <th>No</th> <th>NA</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </tbody> </table>	Yes	No	NA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>1</b> Is (are) there appropriate measurable postsecondary goal(s) in each area?</p> <ul style="list-style-type: none"> <li>• Can the goal(s) be counted/measured?</li> <li>• Will the goal(s) occur after the student graduates from school?</li> <li>• Based on the information available about this student, does (do) the postsecondary goal(s) seem appropriate for this student?</li> </ul>	<p><b>Transition Services Lab:</b></p> <ul style="list-style-type: none"> <li>• 13. Postsecondary Goals and Transition Services – Postsecondary Goal (left column) for the areas of Education, Training, Employment, and Independent Living (as appropriate)</li> </ul> <p>Postsecondary Goals must align with information documented in the Present Levels of Educational Performance (PLEP) and Preferences, Interests, Needs, and Strengths (PINS) (based on current transition assessment results).</p>
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Yes	No	NA															
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# Postsecondary Goals (PSGs)

- Address the areas of:
  - Education
  - Training
  - Employment
  - Independent Living (as appropriate)
- Can the goal(s) be counted?
- Will the goal(s) occur after the student graduates from school?
- Based on the information available about the student, does (do) the postsecondary goal(s) seem appropriate for this student?

## Examples of PSGs:

- **Education/Training:** Upon completion of high school, student will attend community college to study engineering.
- **Employment:** Upon completion of high school, student will work part time at least one year as a trainee at an engineering firm.
- **Independent Living (as appropriate):** Upon completion of high school, student will clearly advocate wants and needs to others.



## Update Annually

- Was (were) the postsecondary goal(s) addressed/updated in conjunction with the development of the current IEP?
- Compare the current IEP with the previous year's IEP.
- Postsecondary goal(s) may be the same as the previous IEP if there is updated information based on current transition assessment results to validate that the goal(s) remain(s) the same.



# Age Appropriate Transition Assessments

- Is the use of current (conducted within the last year) transition assessment(s) for the postsecondary goal(s) mentioned in the IEP or evident in the student's file?
- Is there evidence that at least one age-appropriate transition assessment was used to provide information for each postsecondary goal regarding the student's PINS:
  - Preferences,
  - Interests,
  - Needs, and
  - Strengths



NOTES

An interest might guide the student toward a specific vocational program or college major, while a preference for a certain work environment (e.g., indoors vs. outdoors, independent vs. collaborative) can help refine the types of jobs they explore.

PREFERENCES

For example, a student might have a preference for working on group projects over individual assignments. This preference doesn't necessarily mean they want to pursue a career in teamwork; it simply indicates their preferred way of working.

Often based on past experiences, comfort, or a personal feeling

A choice or a liking for one thing over another.



INTERESTS

For example, a student might have an interest in marine biology, leading them to read books about ocean life or watch documentaries about underwater ecosystems. This interest could potentially become a career path.

A curiosity or a desire to engage with a topic, an activity, or a field of study.



What captures a person's attention and motivates them to explore.

PINS

"What am I going to do after high school?"



#

NEEDS

For example, a student interested in a culinary career may need to learn a specific skill, like knife safety or food handling.

Area(s) where student requires additional support, instruction, or practice to achieve their postsecondary goals.

Not just academic; they can be related to a wide range of life skills.



STRENGTHS

For example, a student who is a strong problem-solver, has a knack for technology, and is interested in graphic design has a set of strengths that can be used to develop a transition plan focused on digital media.

Existing skills, talents, interests, and personal attributes that can be utilized to achieve their postsecondary goals.

Current or past work experience.





# Transition Services

- For each postsecondary goal, are there transition services listed in association with reasonably enabling the student to meet their postsecondary goal(s)?
  - Services should align to the student's unique needs
- Types of transition services include:
  - instruction,
  - related services,
  - community experience,
  - development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skill(s), and
  - provision of a functional vocational evaluation
- Transition services are provided to the student by the Department or participating outside agency.

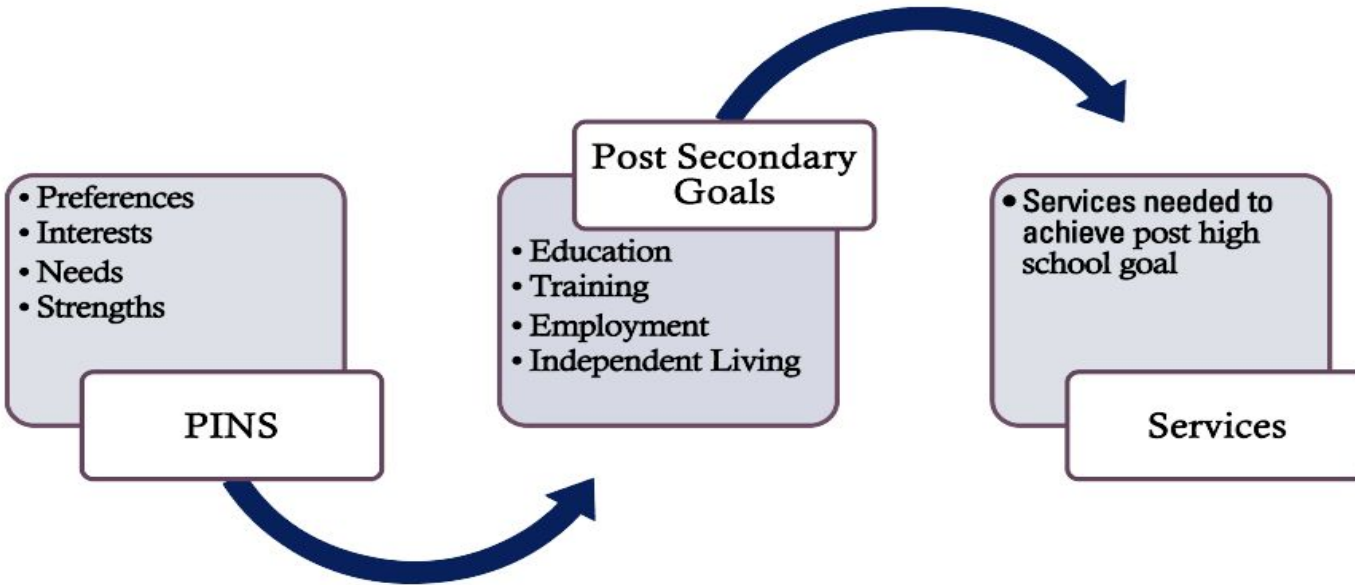


# Examples of Transition Services

Instruction	<ul style="list-style-type: none"><li>● Special education teacher and the school counselor will provide instruction in the following areas:<ul style="list-style-type: none"><li>○ Work-related social skills.</li><li>○ Computer skills (word processing, data entry).</li><li>○ Reading comprehension strategies, making inferences, and oral expression.</li><li>○ Communication skill development.</li></ul></li><li>● Special education teachers will provide instruction in personal money management and self-advocacy.</li><li>● DVR will provide on-the-job communication skill development.</li></ul>
Related Services	<ul style="list-style-type: none"><li>● Counselor will provide strategies in self-advocacy skill development.</li><li>● Speech-Language Pathologist will provide speech and language services to increase oral language fluency.</li></ul>
Community Experience	<ul style="list-style-type: none"><li>● School staff will provide opportunities to job shadow in settings working with children.</li></ul>



# Connection between Preferences, Interests, Needs, Strengths (PINS) and Services





## Courses of Study

- For each postsecondary goal, are there specific courses of study/activities listed in association with reasonably enabling the student to meet their postsecondary goal(s)?
  - Courses/activities should align to the student's unique postsecondary goal(s).
- Courses of study must include a multi-year description of coursework/activities from the student's current to anticipated exit year.



# Example of Courses of Study

## 10th Grade Postsecondary Goal - Nursing:

**Grade 10:** Spanish II, Biology I, U.S. History, Algebra I, English 10, Ceramics I, Health, Physical Education-Lifetime Activities, Advisory

**Grade 11:** Spanish III, Chemistry, Modern History of Hawaii/Participation in Democracy, Algebra II, English 11, Ceramics II, Foundations of Health Services, Advisory

**Grade 12:** Spanish IV, Human Physiology, Psychology/Sociology, Probability/Statistics, English 12, Ceramics III, Advanced Health Services, Personal Transition Plan (PTP)

## 11th Grade Postsecondary Goal - Auto Mechanic:

**Grade 11:** English 3, Participation in Democracy/Modern History of Hawaii, Geometry, Physical Science, Automotive Technology 1, Team Sports 2, Weight Lifting 1

**Grade 12:** English 4, Geography/Anthropology, Automotive Technology 2, Weight Lifting 2, Electronics Tech 1, Leadership Training, Personal Transition Plan (PTP)



## Annual IEP Goals

- Annual IEP goals must align with current, updated needs information; and
- Support the preparation toward the postsecondary goal(s).



# Invite Student to the IEP Team Meeting

- Is there evidence that the student was invited to the IEP team meeting where transition services are to be discussed?
  - Document student was invited to attend the IEP meeting in the *Conference Announcement*.
- Monitor student birthdays and annual IEP dates.
  - Make sure the transition page of the IEP is completed with all of the 8 required components by the time student turns 16.



# Representative From Participating Outside Agency Invited to the IEP Meeting

- If appropriate, is there evidence that a representative of any participating agency was invited to the IEP team meeting?
  - Consent must be obtained from the parent or adult student to invite the participating agency representative prior to the IEP team meeting.
- Representatives of any of the following agencies/services were invited to participate in the IEP development including, but not limited to, :
  - postsecondary education,
  - vocational education,
  - integrated employment (including supported employment),
  - continuing and adult education,
  - adult services,
  - independent living, or
  - community participation.



# How can we avoid postsecondary transition planning errors?

- Ensure to update the transition page annually.
- Conduct age-appropriate transition assessments that focus on student's PINS related to education, training, employment, and independent living.
  - Use a variety of tools and procedures and allow the student to demonstrate their abilities and potential (aptitude tests, interest assessments, personality or preference tests, etc.). Visit the [Department's Transition Resources Site](#).
- Determine what transition services that will reasonably enable the student to meet their PSGs:
  - Instruction, related services, community experience, development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills, and provision of a functional vocational evaluation listed in association with meeting the postsecondary goal(s).
- Determine courses of study - a multi-year description of specific coursework or activities aligned to the PSGs.
- Determine whether an outside agency such as Division of Vocational Rehabilitation (DVR) would be appropriate to provide services.



# IEP Development and Implementation

## Procedural

Did the IEP team adhere to the procedural requirements of IDEA (Rowley, 1982)?

## Substantive

Was the IEP reasonably calculated to enable a student to make progress (Endrew F., 2017)?

## Implementation

Was the IEP implemented as agreed upon? (Instructional services, amount of services and fidelity of services)

FAPE REQUIREMENTS



# Meaningful Parent Participation

1. Notify the parents of the meeting early enough to ensure they will have an opportunity to attend.
2. Schedule the meeting at a mutually agreeable time and place 34 C.F.R. § 300.322(a).
3. Use various methods to ensure parent participation when neither parent is able to attend the IEP meeting 34 C.F.R. § 300.322(c).
4. Keep a detailed record of your efforts to schedule an IEP meeting at a mutually agreeable time 34 C.F.R. § 300.322(d).
5. Take whatever actions necessary to ensure the parent understands the IEP meeting, including providing a parent who is deaf or hard of hearing or EL with an interpreter.



# How can schools avoid parent participation errors?

- Backward map the IEPs at the beginning of the school year to determine how much time you will need to schedule the meetings.
- Schedule meetings in advance to allow to ensure parent will have an opportunity to attend 34 C.F.R. § 300.322(a)(1).
- Keep a detailed records of your efforts to schedule an IEP meeting at a mutually agreeable time 34 C.F.R. § 300.322(d).
- If meeting was held without parent, follow up with parent after the meeting to minimize impact of their absence.
  - In addition to sending the prior written notice (PWN), call the parent to ask if parent has any concerns, and provide contact information to the parent of school employees who can address parent's concerns about the proposed program and placement.



## ***“Time spent in preparation is a trade-off for time spent in lengthy meetings”***

Julie Weatherly, CASE Conference 2024

- ❑ Agenda, Parking Lot, Meeting Norms.
- ❑ Designate roles and responsibilities of each team member.
- ❑ Review the IEP prior to the meeting.
- ❑ Conduct a preparatory meeting if necessary with school-based team members to discuss data and what is and what is not working - emphasize nothing is set in stone.
  - ❑ Discuss concerns parent(s) brought up in previous meetings.
- ❑ Ensure a draft is sent to the parent(s) prior to the meeting.
- ❑ Ensure staff have the recent materials/data ahead of time and data is analyzed in a manner that parent(s) will understand.
  - ❑ Promote a discussion about how the various information presented impact student’s educational programming.



## When is a Manifestation Determination Meeting Required?

- 34 C.F.R. § 300.530(e) and HAR § 8-60-75, a Manifestation Determination meeting must be held within 10 school days of a change of placement decision due to a code of conduct violation.
- The purpose of the meeting is to determine if the student's conduct was caused by or had a direct and substantial relationship to the student's disability or the direct result of the school's failure to implement the IEP.

**\*open the procedural safeguards and read the section that covers MD. I'm serious. Do it.**



# Communicate Effectively with Parents

- Explain that it is not to determine whether their child engaged in the conduct (they did!)
  - Purpose is determining whether the behavior is related to the disability or was due to failure to implement IEP.
- Explain the importance
  - The outcome will determine whether their child may be removed
  - The outcome will determine whether their IEP needs to be revised
- Explain that their input is expected (and important)



## Two Pronged Analysis

- Avoid “yes/no” check boxes approach. Instead, document the “why” behind the following:
  - Relationship to disability - determine if the conduct was caused by or had a direct relationship to the disability;
    - Analyze!
      - Relationship between conduct and disability
      - Relationship between conduct and impulsivity
      - Relationship between aggressive behavior (conduct) and impulsivity
- IEP implementation - Determine if the conduct had a direct result of the school’s failure to implement the IEP.
  - If a required BIP was not followed, the conduct is almost always a manifestation of the school’s failure to implement the IEP.



# Review Records! Review Relevant Information!

- The IEP
- Teachers observations
- Any information provided by the parents
- Behavior Plan (Social Emotional Plan, Behavior Intervention Plan, Classroom Behavior Plan, any type of behavior plan)
- Info from discipline process (current and past)
- Evaluation information
- Medical records, including diagnosis and medication
- Teacher input
- Service provider input
- Parent input



## Manifestation Determination

If the team determines that the behavior of concern **is** a manifestation of the student's disability:

- The school cannot change placement of the student as a disciplinary measure;
- The student must be allowed to return to school at the placement from which he/she was removed; and
- The team must conduct a functional behavioral assessment, unless one was already done, and implement a behavior intervention plan.
  - If a behavioral intervention plan was already developed, the team must review the current behavior intervention plan, and modify it as necessary, to address the behavior of concern.



## Manifestation Determination

If the team determines that the behavior of concern **is NOT** a manifestation of the student's disability:

- The school may apply the same disciplinary action for the same duration as it would to students without disabilities;
- The team will determine the services necessary for the student to progress appropriately in the general curriculum and to progress toward meeting the goals in his/her IEP during any suspension; and
- If appropriate, conduct a functional behavioral assessment, implement a behavior intervention plan, and/or determine additional support/services to address the student's behavior so that it does not happen again.



# Special Education Landing Site - A Great Resource for Complex Areas and Schools

This landing site serves as a comprehensive resource hub for the Exceptional Support Branch within the Hawaii Department of Education. It is designed to provide educators, administrators, and staff with centralized access to policies, procedural guidance, and instructional tools related to Special Education and Chapter 60 regulations.

The site covers the entire lifecycle of student support, from initial evaluation and eligibility determination to the development of Individualized Education Programs (IEPs) and transition planning. Additionally, it offers specialized resources on inclusive practices, assistive technology, and evidence-based instructional strategies for literacy and mathematics, ensuring that school teams have the information necessary to support students with diverse learning needs effectively.

## Landing Site:

<https://sites.google.com/k12.hi.us/osss-esb-landingsite/home>

The screenshot shows the 'Special Education Landing Site' navigation menu. It features a purple header with the site title. Below the header, the text 'Easy Navigation of the Special Education Landing Site and Quick Links' is displayed. The menu is organized into two columns of links. The left column includes links for IDEA and Chapter 60, Team Members, Evaluation (with sub-links for Overview, Initial Evaluation vs Reevaluation, Facilitation and Tools, Types of Assessment, and Evaluation PWN), Eligibility (with sub-links for Overview, Facilitation and Tools, Evaluation Summary Report, Eligibility Categories, and Assessment Report Templates), IEP (with sub-links for Overview, Facilitation and Tools, PLAAFP, Transition, Goals and Objectives, Progress Monitoring, Extended School Year (ESY), Determining Service Minutes, Supplementary Aids and Services, and Transportation), and Instructional Resources (with sub-links for High Leverage Practices, Evidence-Based Practices, Literacy, Writing, and Mathematics). The right column includes links for SEL/Behavior, Intensive Programs Support, AI Guidance for Special Education, Preschool, Assistive Technology, Transfer Students with IEPs, Inclusive Practices, Deaf\_Hard of Hearing\_Deaf-Blind, Visual Impairment, eCSSS Navigation, Procedural Safeguards, Medicaid Reimbursement, HMTSS, Recommended Resources, and References.



## Questions

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