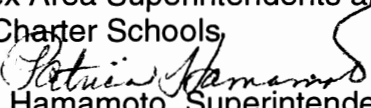




STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

August 9, 2005

TO: Complex Area Superintendents and School Principals and
Public Charter Schools,
FROM: 
Patricia Hamamoto, Superintendent
SUBJECT: Authority for Special Education in Hawaii Public Schools

Pursuant to the action taken by the Board of Education (BOE) on May 5, 2005, the BOE has designated the Superintendent of the Department of Education (DOE) as its agent to oversee the implementation and compliance with all federal and state laws of special education services in all public schools regarding the provision of special education services to exceptional children, including public charter schools, hereafter collectively to be referred to as "public schools."

In order to increase clarity and ensure monitoring, compliance, service delivery, and equity, the BOE has determined that the superintendent, acting in his/her capacity as the State Educational Agency, shall have direct line of authority for the implementation of the Individual with Disabilities Education Improvement Act (IDEA) Reauthorized 12/3/04, Section 504 of the Rehabilitation Act of 1973, HRS § 302A-463 and HRS 302A-1188 (Act 87, Part V, Section 18) in all public schools and shall be responsible for the provision of a free appropriate public education. [See attachment, "Authority for Special Education (SPED) in Hawaii Public Schools (DOE and Public Charter Schools)"].

The superintendent may authorize the Complex Area Superintendent (CAS) 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 the complex. The CAS may authorize district offices to provide special education services, related services, and technical assistance for IDEA and Section 504 students in all public schools.

Additionally, the superintendent may authorize the Special Education Section to oversee matters related to implementation, compliance, and monitoring of special education students, related services, and provide technical assistance to all public

schools, and to serve as a liaison to the Public Charter Schools Administrative Office and the local public charter school boards.

If you have any questions, please call Ms. Patricia Dong, Educational Specialist for Charter Schools, at 733-4403.

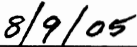
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Attachment

Noted:



Breene Harimoto, Chairperson
Board of Education



Date

c: Assistant Superintendents
Superintendent's Branch Directors
Ms. Holly Shikada, Deputy Attorney General, Department of the Attorney General,
Education Division
The Honorable Norman Sakamoto
The Honorable Roy Takumi
District Educational Specialists
Local Public Charter School Boards
Office of Curriculum, Instruction and Student Support
Public Charter Schools Program Office
Public Charter Schools Administrative Office

