

State of Hawai'i Board of Education
testimony_boe@notes.k12.hi.us

re: Testimony regarding 11/7/19 Agenda – How to Close the SpEd Achievement Gap

Aloha Honorable Board of Education Members,

I have been intimately involved with the education of an underprivileged/SpEd/ELL student for the past two and a half years. Although I had no plan to become the academic guardian for a student who hit the Triple Crown for achievement risk groups when I volunteered at my local elementary school in 2017, the child needed help because the school system was failing him. I could not walk away when I knew it didn't have to be that way and I could help. I've learned a lot in the process, and I'm sharing some of my hard-earned wisdom with you today.

First, please take a look at the data in Attachments 1 and 2, and read the story of how this student achieved remarkable academic growth in SY 2018-2019. The story is about the *Stepping Stones* curriculum, though the student achieved the same amazing growth in Language Arts when the teacher finally started following the *Wonders* curriculum. The three important factors in this success are:

1. using a professionally-written curriculum;
2. starting at the student's level of competency, and consistently progressing through the curriculum at an individualized pace;
3. giving parents access to the curriculum and their child's work on a daily basis so they can reinforce the day's learning at home.

Yes, there also was an outlying factor in this case study which cannot always be duplicated. That was me, the private tutor and education advocate who fostered authentic family engagement in the education process and battled the bureaucracy for hours and hours each week. Though, I must point out that advocates are unnecessary if school employees are the students' advocates, and private tutors may not be necessary if the teachers would follow professionally-written curricula. So, the case study provides lessons that can be applied to other students and schools.

As you examine the broad blocks of data presented by the Superintendent for the data retreat, and discuss ways to close the achievement gaps, this individual case study provides an alternate yet important perspective because it is derived from the ground up. Based on my experiences these past few years, I could write a lengthy dissertation how to improve the HIDOE school system for SpEd students. In the interests of brevity, I limit this testimony to solid suggestions that the Board and Department can implement sooner rather than later which require little to no additional financial cost. If enacted, I hypothesize these changes in policies and/or administrative rules *will* narrow the achievement gaps in Hawaii.

Now, you may think that there are policies and rules in place that already cover these suggestions. If so, let me tell you they don't work. What's always missing is the accountability component which I don't discuss here other than to mention it is sorely needed. I also want to point out that the school empowerment movement, if not kept in check, will lead to a dangerous lack of oversight if not handled properly. I personally think that it's going to be disastrous for SpEd students because the bar for becoming a SpEd teacher is so awfully low, and these novices are not required to use a professionally-written curriculum – YET. The local empowerment is being translated into, "They can teach whatever the heck they want, whether it's professionally vetted or not."

Just like states' rights versus a strong national constitution, the Board needs to establish rules and policies that provide freedom for innovation and progress, but are not so wishy-washy and vague that freedom runs amok and there is no accountability for adherence to high-level philosophical statements in Board policies. Sometimes you just have to be specific and spell it out for folks so they know what the right thing to do actually is. Can't make assumptions that everyone is conscientious or knowledgeable about such things.

SUGGESTION	COMMENT	MY EXPERIENCE
<p>USE COMMON, CONSISTENT, PROFESSIONAL CURRICULA</p> <p>SpEd teachers must use professionally-written Language Arts and Math curricula.</p> <p>SpEd students will begin at their level of competency (not necessarily age), and work progressively through a curriculum.</p> <p>The chosen LA and Math curricula for SpEd students will be consistent throughout the District; geographic exceptions throughout the DOE will be allowed to enable SpEd students to continue with familiar curricula year to year.</p>	<p>SpEd students perform better with a structured curriculum written and vetted by professionals</p> <p>SpEd students progress at a different pace than their age-level peers. This pace, and what differentiation is appropriate, is what needs to be "individualized" in the education plan.</p> <p>SpEd students require structured environments and consistency in processes from teacher to teacher, year to year, and even (especially) during Extended School Year in the summer.</p> <p>A large percentage of SpEd teachers have less than 5 years' experience teaching. The HTSB does not require a SpEd teacher to have any formal education in Special Education.</p>	<p>The story in Attachment 1 does not fully express how frustrating it has been to see the poor quality of education Zed is receiving. Most Hawaii teachers are not capable of creating a professional curriculum.</p> <p>Since Hawaii has thusfar been incapable of hiring and retaining a sufficient number good SpEd teachers, it is especially important that SpEd follow a professionally-written curriculum in the sequence laid out by professional curriculum developers.</p>

SUGGESTION	COMMENT	MY EXPERIENCE
<p align="center">ENGAGE PARENTS IN CURRICULUM DELIVERY</p> <p>Make the curricula open and available to parents. Work collaboratively with parents to help students progress through a curriculum in an organized manner.</p> <p>Open up a time each week where SpEd parents can come to the classroom and touch base with the teacher in the learning environment.</p>	<p>These days, professionally-written curriculum that's worth anything has a digital teacher edition that contain all the lesson plans and student workbooks online.</p> <p>Too many DOE schools don't have a clue what authentic family engagement looks like. The DOE leadership seems obsessed with "partnerships" but pays only lip service to family engagement. This has been and will continue to be the biggest barrier to becoming a world class educational system until it's changed.</p> <p>Attachment 3 contains several resources on family engagement.</p>	<p>We've asked to see the Language Arts and Math curricula the student is supposed to be learning and have been denied! Parents not allowed to see the curriculum? That's outrageous.</p> <p>We asked to be able to come to the classroom once a week and the idea was discouraged.</p>
<p align="center">INCREASE PROFESSIONALISM USING ELECTRONIC COMMUNICATIONS MEDIA</p> <p>Require all employees abide by HAR §8-5-8.</p> <p>Go paperless. Send correspondence, IEPs, and other documents as electronic documents as often as possible and save on the exorbitant USPS mailing fees.</p> <p>Provide all documents as copyable text and not pictures of text.</p>	<p>Attachment 3 contains correspondence I sent months ago to Superintendent Kishimoto about the fact that DOE employees routinely ignore HAR §8-5-8 which specifies 3 days to reply to a communication with an appropriate response. I'm still waiting for a response.</p> <p>Whenever possible employees should provide documents in digital format. Paper is wasteful and USPS mailing fees are unnecessary.</p> <p>When providing documentation in digital formats, the text should be copyable. Employees routinely provide information in PDF documents that are only pictures of text. I can think of no reason to do this other than to make it difficult for the recipient to use the provided information.</p>	<p>This year, after it taking weeks and weeks and a lot of emails to simply arrange a meeting to find out why the student was bringing home virtually no schoolwork, the Principal made it clear that she will respond to our future correspondence only once a week. Trying to get information about teacher qualifications was another protracted and difficult battle.</p> <p>It's completely unprofessional how long it takes, on average, to get information out of the Department of Education at all levels, get cogent responses to email in a timely manner, and deal with problems. Fix this issue, and finding solutions for all kinds of problems will get easier.</p>

Mahalo,



Vanessa Ott

attachments: (4)

1. SpEd Success in Hawai'i With Stepping Stones
2. i-Ready Diagnostic Growth
3. Parent Engagement Selected Bibliography
4. Correspondence with Superintendent Kishimoto re: HAR §8-5-8

SpEd Success in Hawai‘i With *Stepping Stones*

by Vanessa Ott

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This is the true story of student “Zed” and his remarkable Mathematics advancement in just one semester of solid Origo *Stepping Stones* instruction.

Zed is a Special Education / English Language Learner in Hawai‘i. When the 2018-19 school year began, he enrolled in Grade 5 at a school that was new to him. It was a fresh start. In August, he took the *i-Ready* diagnostic assessments. His Math skills were at Grade 1 level. (See his August 16, 2018 results in **Fig. 1**). With the aid of the *Stepping Stones* curriculum, by the end of the school year his diagnostics indicated “460% progress towards annual typical Math growth for a student at this grade and placement level,” and “224% progress towards his stretch growth,” (an ambitious but attainable level of annual growth).

I feel confident in attributing such impressive advancement to the *Stepping Stones* curriculum because this unintentional experiment had one significant variable: *not* following the SS curriculum in the first semester versus following the SS curriculum in the second semester.

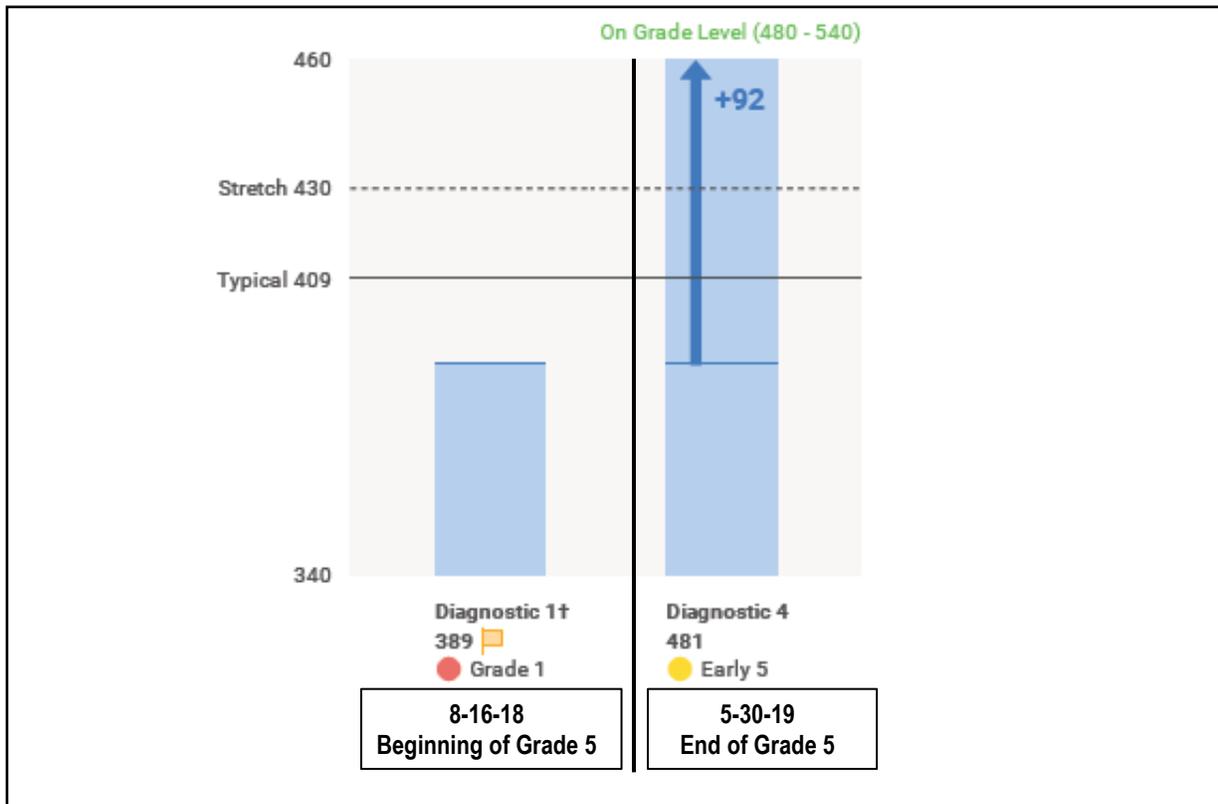


Fig. 1: Zed’s Math Diagnostic Assessment Levels Before and After *Stepping Stones*

First Semester Instruction

At the beginning of School Year 2018-19 Zed re-entered public school after a year of being home schooled with tutors. He'd morphed from a 10-year-old who couldn't read "dog," and was still counting on his fingers to add 2+2, into a kid who could read, write, do Math word problems, work a computer fairly well (touch typing and keyboard shortcuts included), write in cursive, read a map, *and* tie his shoes.

In August 2018, Zed enrolled in Grade 5 and took his first Math and Reading diagnostic assessments of the new school year. They affirmed what we at home knew. He could read at Grade 2 level; he was at Grade 1 level ability in Math. For the first time in his life, we got him to a neurologist who diagnosed his learning difficulties as a developmental delay and attention deficit disorder (inattentive type). This meant there was hope for improvement and growth. He *is* capable of learning. The problem is that his progress was delayed, and he has a natural tendency to be inattentive. Great news! These barriers can be overcome.

Because Zed was placed in Grade 5 according to his age, the novice SpEd teacher was attempting to teach him the Grade 5 *Stepping Stones* Math curriculum while "supplementing" it with her own creative ways of doing so. This was a mistake.

For the first half of the academic year, Zed languished at Grade 1 level Math ability. He wasn't making connections from one concept to another much less applying abstract formulas to real-world math applications. Random skills were being thrown at him which were far beyond his capability. His classwork and homework were pepper with worksheets downloaded from multitudinous internet sources whose purpose seemed aimed at force-feeding him rote procedures needed to work abstract math equations related to Grade 5 Math Common Core Standards, but little else. There were occasional instructions from the teacher to watch some Khan Academy videos which seemed irrelevant and unconnected to his lesson of the day.

By the end of the first semester, Zed's Math ability had not progressed beyond Grade 1 performance. (See December 12, 2018 Progress Report in **Fig. 2.**)

	8-16-18	12-12-18	3-4-19	5-30-19
Overall ↑	● Grade 1	Grade 1 Grade 2 E M L E M L	Grade 1 Grade 2 E M L E M L	● Early 5
Number and Operations ↑	● Grade 1			● Grade 4
Algebra and Algebraic Thinking ↑	● Grade 1			● Mid 5
Measurement and Data ↑	● Grade 1			● Mid 5
Geometry ↑	● Grade K			● Grade 4
	Beginning of School Year Diagnostic Results	Progress Report	Progress Report	End of School Year Diagnostic Results

Fig. 2: Zed’s Math Domain Advancement Throughout the School Year

Alarmed by Zed’s lack of progress and the disjointed approach to his Math education that the SpEd teacher was pursuing, I met with the school’s Curriculum Coordinator to find out more about *Stepping Stones*. He introduced me to the *SS DTE (Digital Teachers Edition)* with all its fabulous differentiation resources available online in one complete software package. That’s when everything began to change for the better.

A New Direction in the 2nd Semester

Transitioning to full implementation of *Stepping Stones* was rocky initially. For example, I asked for permission to come to the school to study the *SS DTE*, but my request was denied. The excuse was that we shouldn’t have access to the curriculum assessments. “So what?” I wondered, but didn’t have the time and energy to argue. My employee evaluations aren’t tied up to how well he does on his Math assessments. I have no interest in giving Zed answers to merely pass a test; I want him to learn. Frankly, if Zed had the wherewithal and motivation to seek out test answers and “cheat” on *SS* assessments by researching them on the *DTE*, that level of interest and exploration would be a welcome improvement. Denied access was just business as usual at the Hawai’i Department of Education where practically everything is a big secret – including the curriculum.

So, I laud Origo and give my greatest thanks to their enlightened minds. Origo sold us a *SS DTE* license and saved the day. It was like John Wayne galloping in and protecting the little ones. All parents should be allowed to buy a copy of their child’s professionally-written curriculum if they want to! It’s capitalism at its best, and doing this enables parents and tutors to see the myriad comprehensive components that comprise their child’s curriculum.

Once we had access, we discovered how much of the well-written *SS* curriculum Zed was missing. Half of the school year had gone by and Zed had never even seen any of the *Flare* tools. He'd be assigned pages in the Grade 5 *Student Journal* yet we'd find out later that the teacher hadn't even walked through the *SS* Lesson Steps. What a waste of resources – in the curriculum as well as in Zed's potential brain power. Time for a change.

First, we convinced the Principal that the teacher should be using the Stepping Stones curriculum, and *only* the Stepping Stones Curriculum. Charging out of that gate, the teacher began “differentiating” the Grade 5 curriculum by stepping backwards through the “Previous Lesson” feature in the *DTE*. This is a great feature that helps teachers wind their way back through a Math concept as it was taught in Grade 4, Grade 3, etc, in the event some reinforcement of a concept is apropos. It no doubt works well with students who need mild reinforcement. The problem with this approach was that for a SpEd student performing several levels below his age-related peers, there were so many pukas (holes) in his prior knowledge that for each successive Grade 5 lesson we had to take too many steps backwards. It was a confusing stew for Zed and those of us at home trying to help him.

In January, we convinced the Principal that Zed should start at his level of capability/challenge and move forward from there. Grade 3 *SS* was the level that was challenging for him, but he had enough background knowledge to successfully master the new material. I commend the Principal for this bold move because in Hawai'i, it's a bit revolutionary. In too many cases, if the child is enrolled in Grade 5 then, by gum, he's gonna be taught Grade 5 standards whether or not he can do Grade 3 or Grade 4 work. Of course, that approach is doomed to fail. If you don't build a strong foundation, the house eventually collapses. A strong foundation, like a rock, like a stone, is especially important in Math education which builds from basic skills at the bottom up to more advanced math. Even the title, *Stepping Stones*, is aligned with the educational philosophy of stepping higher and higher on a solid (stone) foundation. I get it, and the gettin' is good.

Once the school agreed, we zoomed through Grade 3 material he already understood while delving deeper into the myriad differentiation resources on concepts with which he was unfamiliar or struggled. In all cases, even with skills he already grasped such as addition, the “More Math Problem Solving Activities” helped him truly understand why he was learning a Math specific skill. The word problems, visuals, and real-life problems at every turn in the curriculum were amazing.

Powering through the Stepping Stones Grade 3 curriculum at Zed's optimal pace gave him the solid Math foundation he needed to progress even faster as time went on. His learning accelerated rapidly. As you will see in **Fig. 2**, once we got the teacher on board with the program by the end of February, Zed broke through the Grade 1 barrier in March, and by May, the results shown in the data above were world class.

Lessons Learned

The past few years, the State of Hawai‘i Board of Education and Department of Education have noticed that the achievement gap between Special Education students and their age-level peers is not closing, maybe even widening. Adopting the role of a SpEd parent’s assistant the past couple years has given me a clear picture why. Here’s what I believe needs to happen to close the mathematics gap for SpEd students.

First and foremost, SpEd teachers must be required to follow a professionally-written curriculum to teach Mathematics, especially at the elementary and middle school level. The battle cry for school empowerment has merit, but for SpEd students it is a disaster if it means that teachers with little experience even teaching are writing their own curricula, too. I don’t doubt that there are a few who might be capable of doing this, and there should be some way to have teacher-created curricula vetted by a committee (not just a Principal) in these rare cases, but I don’t think the majority of Hawaii’s teachers are good curriculum developers. Last year wasn’t an isolated experience. Zed has another provisionally-licensed teacher again this year for Grade 6. She’s not following the school’s chosen Math curriculum claiming she’s supplementing with worksheets to meet his IEP, and not using the differentiation materials I suspect are in the curriculum but haven’t been allowed to see yet. I predict that a mid-year diagnostic assessment, if the school is willing to do one, will show little improvement since August, just like the end of the first semester last year.

Following a curriculum means starting at the student’s level of capability & challenge and moving forward, step by step through the curricula. Special Education students need to catch up, not be dumped at some point in the learning curve based on their age, and be expected to perform well with huge gaps in their background knowledge. SpEd students also need a well-organized curriculum so they can see where they’ve been and where they are going. This is the best way to connect home learning, too. Parents need to be able to follow a curriculum, and streams of worksheets just doesn’t cut it.

Second, teachers should have to become certified teaching the school-chosen curriculum and be proven competent to do so. One day of training does not an expert make. All last year, every time we had to counter the novice teacher’s excuses for not using a professionally written curriculum because she had a Master’s degree in education, Alexander Pope’s rhyme reverberated in my brain. *“A little learning is a dangerous thing; drink deep, or taste not the Pierian spring: there shallow draughts intoxicate the brain, and drinking largely sobers us again.”* It turns out she’d had only one day of *Stepping Stones* training before being expected to teach it in the classroom. It’s not possible to do a good job under these circumstances and the false sense of being an expert after one day of training is counterproductive.

Lastly, I highly recommend *Stepping Stones* for SpEd students for several reasons. The helical structure of the curriculum is brilliant. You don’t start on one subject, study that for a month, go to the

next subject and study that for a month, so that by the end of year the SpEd kid with a bad memory has forgotten what he learned in October and November. All the standards are visited and revisited with increasing complexity as students work through the lesson steps. The word problems, visual approaches, online manipulatives, and videos were extremely helpful and engaging. From a teacher's perspective, the *DTE* made every *SS* lesson from K-6 easy to access. From a parent perspective it was great to be able to buy a *DTE* lesson and help Zed at home. I so wish his Middle School used *Stepping Stones*.

Vanessa Ott is a privately-contracted piano teacher. She is a former Hawai'i certified elementary school teacher, communications IT specialist, and hi-tech magazine editor. Since 2017 she has volunteered to tutor Zed, and assist his non-native-English-speaking mother advocate for her son's academic progress. Ms. Ott is not affiliated with Origo Education and has received no monetary remuneration for this article.

i-Ready Diagnostic Growth for SpEd/ELL student "Zed" SY 2018-2019

Diagnostic Growth - **READING**

Subject: Reading
Student Grade: 5



This SpEd/ELL Grade 5 student's growth attributed to the teacher following the steps in the *Wonders* Reading curriculum for Quarters 2-4 of School Year 2018-2019 combined with internet access to the curriculum at home.

Year-to-Date Growth

Progress to Annual Typical Growth

Scale Points: 68/26

✓

262%

50% | 100%

This student has made 262% progress towards annual typical growth. Typical growth is the average annual growth for a student at this grade and placement level.

Progress to Annual Stretch Growth

Scale Points: 68/61

★

111%

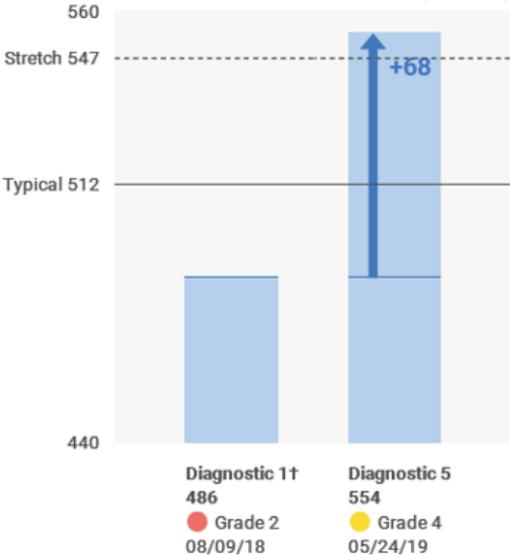
50% | 100%

This student has made 111% progress towards their stretch growth. Stretch growth is an ambitious but attainable level of annual growth which puts students on a path towards proficiency.

This student will need to meet their annual stretch growth for at least 3 years to be proficient. Proficient for Grade 5 is a mid-on-level scale score of 609.

Overall Diagnostic Growth

Grade Level (581 - 640)



Diagnostic	Score	Grade	Date
Diagnostic 1†	486	Grade 2	08/09/18
Diagnostic 5	554	Grade 4	05/24/19

†This Diagnostic used to establish Growth Measures.

Placement by Domain

Domain	Diagnostic 1	Diagnostic 5
Overall ↑	● Grade 2	● Grade 4
Phonological Awareness*	● Tested Out	● Tested Out
Phonics* ↑	● Grade 1	● Tested Out
High-Frequency Words*	● Tested Out	● Tested Out
Vocabulary ↑	● Grade 2	● Grade 3
Comprehension: Literature ↑	● Grade 2	● Grade 4
Comprehension: Informational Text ↑	● Grade 2	● Grade 4

i-Ready Diagnostic Growth for SpEd/ELL student "Zed" SY 2018-2019

Diagnostic Growth - MATH



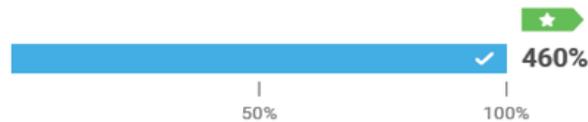
Subject: Math
Student Grade: 5

This SpEd/ELL Grade 5 student's growth attributed to the teacher following the *Stepping Stones Math* curriculum the second semester of School Year 2018-2019, beginning at student's level of competency (Grade 3), combined with internet access to the curriculum at home.

Year-to-Date Growth

Progress to Annual Typical Growth

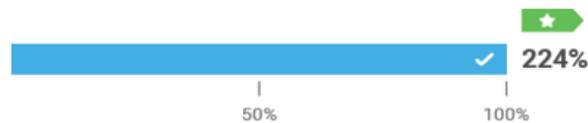
Scale Points: 92/20



This student has made 460% progress towards annual typical growth. Typical growth is the average annual growth for a student at this grade and placement level.

Progress to Annual Stretch Growth

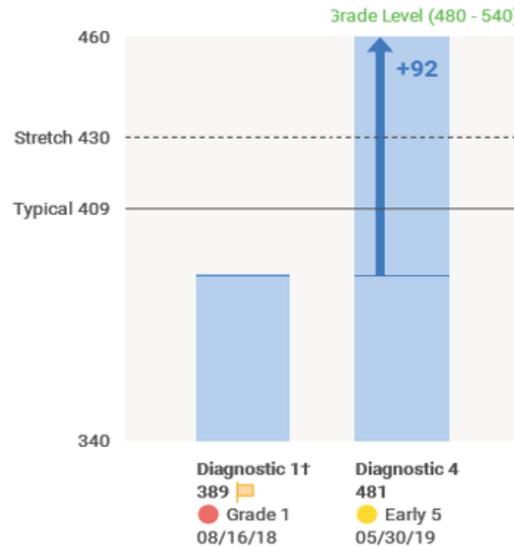
Scale Points: 92/41



This student has made 224% progress towards their stretch growth. Stretch growth is an ambitious but attainable level of annual growth which puts students on a path towards proficiency.

This student will need to meet their annual stretch growth for at least 3 years to be proficient. Proficient for Grade 5 is a mid-on-level scale score of 498.

Overall Diagnostic Growth



†This Diagnostic used to establish Growth Measures.

Placement by Domain

Domain	Diagnostic 1	Diagnostic 4
Overall ↑	● Grade 1	● Early 5
Number and Operations ↑	● Grade 1	● Grade 4
Algebra and Algebraic Thinking ↑	● Grade 1	● Mid 5
Measurement and Data ↑	● Grade 1	● Mid 5
Geometry ↑	● Grade K	● Grade 4

Parent Engagement Selected Bibliography

Educational Leadership

Involvement or Engagement?

by Larry Ferlazzo

May 2011 | Volume 68 | Number 8

Schools, Families, Communities Pages 10-14

<http://www.ascd.org/publications/educational-leadership/may11/vol68/num08/Involvement-or-Engagement%C2%A2.aspx>

What's the Difference?

To create the kinds of school-family partnerships that raise student achievement, improve local communities, and increase public support, we need to understand the difference between family *involvement* and family *engagement*. One of the dictionary definitions of *involve* is "to enfold or envelope," whereas one of the meanings of *engage* is "to come together and interlock." Thus, involvement implies *doing to*; in contrast, engagement implies *doing with*.

A school striving for family involvement often leads with its mouth—identifying projects, needs, and goals and then telling parents how they can contribute. A school striving for parent engagement, on the other hand, tends to lead with its ears—listening to what parents think, dream, and worry about. The goal of family engagement is not to serve clients but to gain partners.

Michigan.gov

What Does It Mean To Be “Engaged or Involved?”

“Collaborating for Success” Parent Engagement Toolkit

https://www.michigan.gov/documents/mde/what_does_it_mean_to_be_engaged_or_involved_370125_7.pdf

Center for Disease Control

Parent Engagement in Schools

https://www.cdc.gov/healthyyouth/protective/parent_engagement.htm

American Psychological Association

What is Parent Engagement?

<https://www.apa.org/pi/lgbt/programs/safe-supportive/parental-engagement/>

Waterford.org

How Parent Involvement Leads to Student Success

<https://www.waterford.org/education/how-parent-involvement-leads-to-student-success/>

Correspondence with Superintendent Kishimoto re: HAR §8-5-8

09/10/19 – Ott: Superintendent's Office not complying with HAR §8-5-8

From: **Vanessa Ott** <mrvott@gmail.com>
 Date: Tue, Sep 10, 2019 at 9:39 AM
 Subject: Superintendent's Office not complying with HAR §8-5-8
 To: Christina Kishimoto <Christina.Kishimoto@k12.hi.us>
 Cc: Justin Takaki <justin.takaki@k12.hi.us>

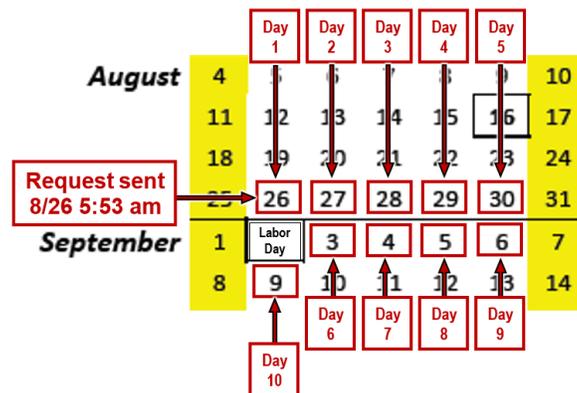
Aloha Superintendent Kishimoto,

[HAR §8-5-8](#) clearly states that requests for information will be addressed in 1 to 3 business days, and if more time is required, a *mutually* reasonable time for delivery will be determined. I have had more than one exchange with Justin Takaki, Program Specialist, Superintendent's Office, on this matter, but he seems determined to ignore HAR §8-5-8.

In the past 4 months I requested information about teachers' qualifications on behalf of a Tongan parent of a SpEd/ELL student. The first attachment are the details of our request concerning the qualifications of the student's ESY 2019 teacher. We requested more information than what is available through the <https://hawaiiteacherstandardsboard.org/> public search tool. I assume that is why the request wound up before Mr. Takaki. The second attachment concerns the qualifications of the student's current teachers which we sent directly to Mr. Takaki over two weeks ago.

The first request took over 6 weeks, 5 emails, and a call to your office to get our record request addressed. I started asking for the ESY teacher's qualifications in early May at the Complex Area level. The Deputy Superintendent's Office finally received the request on 6/12, yet I did not receive a response until 6/20. That's seven working days later, which is clearly outside the 3-day time limit specified by HAR §8-5-8. I asked Mr. Takaki if he, the CAS, and the Principal were aware of HAR §8-5-8. He said yes, but didn't explain why it took longer than 3 days once he'd received the request for us to get an answer. I asked what the Superintendent's Office was going to do about the pervasive problem that HAR §8-5-8 is largely being ignored. He said he would get back to me. That was on 6/27. He hasn't gotten back to me on this yet.

The second request started 11 business days ago at 5:53 am Monday, August 26th. We still have not received a response.



In the attachment *Correspondence-TeacherQuals-2019-09-04.pdf* you will see that Mr. Takaki has no intention of complying with HAR §8-5-8.

Not only that, as of this writing he *also* is out of compliance with [HAR §2-71-13](#) which states that a state agency will disclose the requested record within 10 days (if of the type specified by [HRS 92F-12](#), which this record request is). We are now on day eleven (9/10), and we've still not received the records. Mr. Takaki said he would deliver on 9/10/19 (today), but I think perhaps his calendar math calculation is incorrect. He received the request 8/26 (Day 1). Day 10 was yesterday. The Office of Information Practices Administrative Rule for all state employees to address a record request is "within 10 days," not day 11 or thereafter.

I have experienced these kinds of unreasonable delays in the vast majority of interactions with DOE employees at all levels -- the school, complex area, and superintendent's office. Is HAR §8-5-8 merely a suggestion and not a rule that DOE employees are expected to follow? If it's a rule, what have you done to correct this systemic problem which is so pervasive that even top level employees in the Superintendent's Office ignore the rule? I imagine you must be aware of this problem because I find it hard to believe I'm the only person in the entire state to complain about not getting timely responses from DOE employees.

The above questions are not rhetorical. I think the communication and accountability components of DOE business practices are critically problematic. I have plenty of suggestions on how to improve the situation that I'd be happy to share, but I hope you have some of your own that you're willing to implement soon.

Mahalo,
Vanessa Ott
808 - 854 -1018

§8-5-8 Time limits.

(a) Requests for information or submit suggestions, concerns or complaints relating to local or district level matters, and requiring coordination with other schools or public libraries, districts, or agencies, shall be addressed within three working days.

(b) Requests for general information shall be answered within the same working day whenever possible.

(c) If more time is required to adequately respond to the request or the concern, the requestor shall be so notified and a mutually reasonable time shall be determined for reply. [Eff. AUG 22, 1983] (Auth: HRS §302A-1112) (Imp: HRS §§91-2(1), 302A-1112)

§2-71-13 Formal request received; agency response; time limits. (a) When an agency receives a request for access to a record that is:
(1) Required to be disclosed under section 92F-12, HRS, in its entirety; or
(2) Available for public access in its entirety,
The agency shall disclose the record within a reasonable time not to exceed ten business days.

attachments:

- Correspondence-TeacherQuals-2019-06-27.pdf
- Correspondence-TeacherQuals-2019-09-04.pdf

09/10/19 – Asato-Onaga: You will receive a written response by September 24, 2019

From: **Claudia Asato-onaga** <claudia.asato-onaga@k12.hi.us>
Date: Tue, Sep 10, 2019 at 10:10 AM
Subject: Fwd: Superintendent's Office not complying with HAR §8-5-8
To: Vanessa Ott <msvott@gmail.com>

Aloha Ms. Ott,

The Department is in receipt of your email sent to Superintendent. I am in the process of referring this to the appropriate office to look into the matter. We will try to respond to all your concerns in a written letter by September 24, 2019. Thank you in advance for your patience.

Regards,
Claudia Asato-Onaga

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Claudia Asato-Onaga
Executive Assistant to the Superintendent
Hawaii Department of Education
Telephone: (808) 586-3310

09/13/19 – Ott: My 9/10 letter addressed two separate issues. Who is responsible for responding to each issue?

From: **Vanessa Ott** <msvott@gmail.com>
Date: Fri, Sep 13, 2019 at 6:11 AM
Subject: Re: Superintendent's Office not complying with HAR §8-5-8
To: Claudia Asato-onaga <claudia.asato-onaga@k12.hi.us>

Aloha Ms. Asato-Onaga,

My 9/10/19 letter to the Superintendent addressed two separate but related issues:

1. Mr. Takaki's personal performance with regard to HAR §8-5-8; and
2. The DOE's overall lack of enforcement of HAR §8-5-8.

I have further information to provide on both of these issues. Who is responsible for handling each issue? I wish to contact these them.

Mahalo,
Vanessa Ott
808 - 854 -1018

11/06/19 – NO RESPONSE!

As of November 6, 2019 we have not received the promised written response to 9/10/19 letter to Superintendent Kishimoto nor a response to 9/13/19 letter to Claudia Asato-Onaga on 9/13/19.