### ETHICS COMPLAINT:

## Hawai'l DOE Monitoring & Compliance Branch Refusing to Communicate with Parent's Interpreter

by Vanessa Ott

When a parent contacted the Complex Area Superintendent concerning a most uncooperative Principal, the parent was instructed to contact the <u>Monitoring & Compliance Branch of the Hawai'i Department of Education Office of the Deputy Superintendent</u> even though several concerns had absolutely nothing to do with federal IDEA law.<sup>1</sup>

One of those issues is the Principal's unwillingness to honor the parent's wishes that her interpreter, assistant, and son's tutor, Vanessa Ott, be included in all home-to-school correspondence, and be permitted to communicate with her son's teachers as she would do if she could speak English fluently.

MC&B Education Specialist proceeded to send communications to the parent, in English, excluding Ms. Ott which continues to exacerbate the problem. Ms Ott helps the parent answer a few of these emails, and both of them tell the MC&B that the parent did not speak English well. MC&B said her English (as written in emails) was perfect. To disabuse her of the misperception, Ms. Ott and the parent respond from parent's email and inform MC&B that Ms. Ott has to help the parent correspond in English. MC&B reacts by refusing to communicate with parent via email. Education Specialist Taguchi will not answer any of the parent's questions thereafter claiming:

- "I will not be corresponding via email again because I do not trust this communication when someone admitted they were pretending to be you" (December 2019)
- "I cannot trust this email address because it was called to my attention that someone was forging the parent's electronic signature." (May 2020)

On May 30, 2020, Ms. Ott files an <u>ethics complaint about this treatment</u> via the Fraud & Ethics Hotline. The response says the MC&B's behavior is appropriate and they refuse to release any details claiming FERPA laws prevent disclosure of complaint outcome:

• Thank you for bringing this matter to our attention. We have forwarded your concerns to the appropriate area for review. The Department of Education (DOE) follows the guidance of FERPA laws and employees handle privacy issues cautiously. The issues you have mentioned in your complaint have been addressed with Ms. Taguchi as found appropriate by DOE management. This case has been closed.

The Family Educational Rights and Privacy Act (FERPA) is a federal law that gives parents certain protections with regard to their children's education records, such as report cards, transcripts, disciplinary records, contact and family information, and class schedules. So, what this has to

<sup>&</sup>lt;sup>1</sup> The M&CB evaluates the Department's compliance with federal laws and Board of Education administrative rules and policies related to the implementation of ongoing federally funded programs.

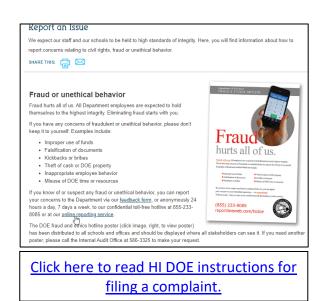
do with a complaint about unethical employee behavior is a mystery. Actually, it's not a mystery. The Hawai'i DOE always claims FERPA privacy when they don't want to tell you something or do something they should be doing.

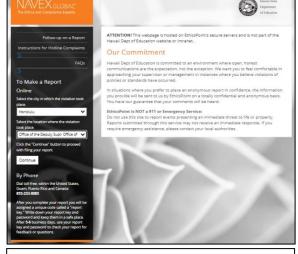
In fact, the MC&B Specialist blamed FERPA for the DOE's refusal to honor the parent's wishes about including Ms. Ott in DOE communications.

On July 20, 2020, Ms Ott wrote to Cara Tanimura asking how DOE management justifies as appropriate making false accusations of forgery, and refusing to communicate with a parent via email because someone with better English (me) is helping the mother read and write emails to and from the DOE. The outcome:

 A new Education Specialist is assigned to answer questions from Ms. Huahulu and Ms Ott.

The issue of honoring the parent's wishes is never resolved. The Principal continues to refuse to put Ms. Ott on the school parent announcement list or to communicate with the child's teachers.





Click here to go directly to HI DOE online complaint reporting service.

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## 7/20/20 – Ott: Requesting more thoughtful response to F&EH complaint filed 5/30/20

----- Forwarded message -----

From: **Vanessa Ott** <msvott@gmail.com> Date: Mon, Jul 20, 2020 at 7:37 AM

Subject: Requesting a more thoughtful response from management to complaint filed 5/30/20

To: Cara Tanimura < Cara. Tanimura @k12.hi.us>

Aloha Ms. Tanimura,

May I please have something in writing from you, Taren Taguchi's supervisor, addressing the complaint I submitted to the Fraud and Ethics Hotline on May 30, 2020. The final disposition was, "The issues you have mentioned in your complaint have been addressed with Ms. Taguchi as found appropriate by DOE management."

I request a more thoughtful response that explains how DOE management justifies as appropriate making false accusations of forgery, and refusing to communicate with a parent via email because someone with better English (me) is helping the mother read and write emails to and from the DOE. Your perspective will be important to present when the parent and I have the opportunity to meet with the BOE Chair.

The attachment contains all the details of the complaint in case the "DOE management" to which the complaint response refers was not you.

Mahalo, Vanessa Ott 808 - 854 -1018 MsVOtt@gmail.com FreeSpeech4us.com

Attachment:



MsVOtt@gmail.com

July 20, 2020

Cara Tanimura, Director Monitoring and Compliance Branch Office of the Deputy Superintendent Cara.Tanimura@k12.hi.us

Aloha Ms. Tanimura,

May I please have something in writing from you, Taren Taguchi's supervisor, addressing the complaint I submitted to the Fraud and Ethics Hotline on May 30, 2020. The final disposition was, "The issues you have mentioned in your complaint have been addressed with Ms. Taguchi as found appropriate by DOE management." (See Follow-Up Notes in ENCLOSURE 1.)

Don't you agree that the response I received to my complaint is inadequate? I provided a very thoughtful and complete accounting of a serious situation. (The DOE Monitoring & Compliance Branch is refusing to communicate with a parent via email because she is getting help from a family friend to read and respond to email.) All I get in return is: The DOE thinks this is okay.

I request a more thoughtful response that explains how DOE management justifies as appropriate, professional behavior making false accusations of forgery, and refusing to communicate with a parent via email because someone with better English (me) is helping the mother read and write emails to and from the DOE. Your perspective will be important to present when the parent and I have the opportunity to meet with the BOE Chair.

Enclosed you will find all the details of the complaint in case the "DOE management" to which the complaint response refers was not you.

Thank you,

Vanessa Ott MsVOtt@gmail.com

[ All enclosures containing copies of Fraud & Ethics Complaint filed 5/30/20; Report Key: 831891898301. See COMPLAINT REPORT & ATTACHMENTS

7/22/20 – Tanimura: Ms. Taguchi was fulfilling her job duties. She's been reminded to be civil. The information you were seeking is not covered by HAR §8-5-8.

From: **Cara Tanimura** <cara.tanimura@k12.hi.us>

Date: Wed, Jul 22, 2020 at 11:23 AM

Subject: Re: Requesting a more thoughtful response from management to complaint filed

5/30/20

To: Vanessa Ott <msvott@gmail.com>

Dear Ms. Ott

This responds to your July 20, 2020 email requesting a "more thoughtful response" relating to your complaint that was submitted to the Fraud and Ethics Hotline dated May 29, 2020.

First, please know that we take every complaint seriously and we attempt to address each to the best of our abilities.

When we responded to you that the issues you mentioned in your complaint have been addressed with Ms. Taguchi, as found appropriate by DOE management, we intended that to mean that appropriate actions were taken by DOE management to respond to your complaint. You should not interpret or imply that the DOE found that your complaint was without merit. However, that portion of your complaint regarding Ms. Taguchi involves personnel matters which, by law, are confidential and we cannot disclose that information to you. Please know that we do expect and have reminded our officials, including Ms. Taguchi, of the importance of dealing with the public in a civil manner.

Because it was unclear what your role was in representing Ms. Huahulu, and whether Ms. Huahulu had authorized you to act as her representative/ advocate, Ms. Taguchi was required by the privacy provisions under FERPA and IDEA to confirm that authorization. You may have perceived her inquiries as inappropriate but unfortunately, because of the federal laws protecting student information, Ms. Taguchi was required to make sure that she was not violating any of those privacy laws. [1]

We recognize that the assistance that you provide to Ms. Huahulu is very important to her. Your assistance to her in understanding and navigating the procedural processes of the DOE is appreciated.

Very truly yours, Cara Tanimura For your information, your reference to HAR §8-5-8 pertains to information that is "data pertaining to rules, regulations, procedures, programs and structure of the department. It is inclusive of public records, minutes, and publications as defined by State law." The information you were seeking was not information as defined in the rule.

Cara Tanimura Hawaii State Department of Education Monitoring and Compliance Branch P.O. Box 2360 Honolulu, Hawaii 96804

Office: (808) 307-3600

Email: cara.tanimura@k12.hi.us

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7/23/20 – Ott: Your response raises questions and no one has addressed, with me, the issues in my complaint and my proposed resolutions

From: Vanessa Ott <msvott@gmail.com>

Date: Thu, Jul 23, 2020 at 4:59 AM

Subject: Re: Requesting a more thoughtful response from management to complaint filed

5/30/20

To: Cara Tanimura <cara.tanimura@k12.hi.us>

Dear Ms. Tanimura

Thank you for your prompt response on July 22, 2020 to my email regarding the Fraud and Ethics Hotline complaint dated May 29, 2020. It raised some questions.

You wrote that appropriate actions were taken by DOE management to the best of its ability. I'm pretty sure the DOE is able to do better. For example, when someone submits a complaint with a reasonable resolution, that request should receive a considerate response, yes? I received nothing other than, "The issues you have mentioned in your complaint have been addressed with Ms. Taguchi as found appropriate by DOE management." No one yet has addressed my 4 suggested resolutions [p.3 of original complaint]. I think the DOE is able to do better than just ignoring all of that, yes?

Or how about going another step further? Learn from this experience and use newfound knowledge to guide improvements in the DOE. For example, add a set of fields to the students' LDS records (or adapt what you already have) for an authorized second adult to be involved in

DOE correspondence with the parent. I'm sure this is technologically possible. Can you imagine all the single parents, or co-custody divorced parents, or non-English-proficient parents who would love to be able to have a friend to help them who is actually welcomed by the DOE and has a system in place for them? I would love to hear that it's within DOE management's ability to create a system for helping parents have a communication buddy/advocate/interpreter — whatever you label it — one that is clear to everyone in the state. Is there some reason the DOE is unable to do this?

Greater clarity in the DOE is obviously needed, right? For example, how could Ms. Huahulu have made it any clearer what my role was? She signed letters specifically stating this on 8/9/20, 12/10/1 and sent copies to Ms. Taguchi, along with an HAR 34 Consent form by 12/11/10. There were also several emails from Ms. Huahulu to Ms. Taguchi in December about this. (You saw those in the complaint letter, right?) Ms. Taguchi even *spoke* with Ms. Huahulu. So, if all of this is not clear enough, I reemphasize that the DOE could do better by improving, system wide, how it handles these types of requests. If someone in a position as high as Ms. Taguchi's is confused with all the paperwork clarity and correspondence we sent trying to explain my role, the system needs a tune-up, yes? There are probably other DOE employees who think the way she does, and other parents who have experienced what we have. Something's not right.

My reference to HAR §8-5-8 is specifically about this statement in the complaint:

"On May 28, 2020, Ms. Huahulu contacted Taren Taguchi...requesting information about free and low-cost legal services to assist with a due process hearing request."

Ms. Huahulu and I learned later, through another person, that the information she was seeking is at the end of the <u>DOE Procedural Safeguard Notice for IDEA Parents and Students</u> [p. 40]. You stated, "HAR §8-5-8 pertains to information that is... inclusive of... publications as defined by State law." Isn't the Procedural Safeguards Notice booklet and online PDF file a "publication" as defined by State law? So, I don't understand your statement, "The information you were seeking was not information as defined in the rule." Please explain how "information about free and low-cost legal services to assist with a due process hearing request," contained in a DOE publication is not information defined in the rule.

I want to clarify that I have no interest in Ms. Taguchi's personnel matters or how you resolved your staff issues internally. I am interested in resolution of this matter for Ms. Huahulu and myself, and that has always been the focus of my complaint. The last email Ms. Taguchi sent to Ms. Huahulu said only this:

"I'm sorry, I cannot trust this email address because it was called to my attention that someone was forging the parent's electronic signature."

I think an appropriate way to resolve this is for Ms. Taguchi to send an email in simple English to Ms. Huahulu (cc: me), apologizing for the misunderstanding, and telling us the current status moving forward. In other words, as far as Ms. Huahulu knows, Ms. Taguchi is still going to refuse to communicate with her via email, and still refusing to include me in correspondence with her. Has that changed? If not, why not? If it has, then isn't it appropriate for Ms. Taguchi

to communicate as much to Ms. Huahulu and me? You folks are *able* to do that, right? Isn't this the best way to handle a resolution?

Mahalo, Vanessa Ott 808 - 854 -1018 MsVOtt@gmail.com FreeSpeech4us.com

7/23/20 – Ott: p.s. You implied I perceived Ms. Taguchi's inquiries for proper legal procedure as inappropriate. That is not accurate. I perceive her insults and refusal to answer questions to be unprofessional.

From: Vanessa Ott <msvott@gmail.com>

Date: Thu, Jul 23, 2020 at 5:22 AM

Subject: Re: Requesting a more thoughtful response from management to complaint filed

5/30/20

To: Cara Tanimura <cara.tanimura@k12.hi.us>

P.S. Please don't misunderstand. I did not perceive Ms. Taguchi's inquiries for proper legal procedure as inappropriate. I would never get irritated with someone following procedure, or using common sense in the absence of a procedure.

What I considered inappropriate was not being satisfied when Ms. Huahulu complied with all Ms. Taguchi's inquiries and requests for documents, yet over five months later after Ms. Taguchi had time to review the documents and make any additional inquiries, she still didn't get it and was insulting to boot.

What I also consider unprofessional is, in this day and age, a state agency being unwilling to accept digital signatures, and demanding a wet signature on a piece of paper with an envelope and a stamp. C'mon. Really? I hope you have some post-COVID policies about this now.

Mahalo, Vanessa Ott 808 - 854 -1018 MsVOtt@gmail.com FreeSpeech4us.com

7/23/20 – Tanimura: We will take your suggestions under consideration. Ms. Taguchi will be substituted by Ms. Brikena White and/or her designee.

From: **Cara Tanimura** <cara.tanimura@k12.hi.us>

Date: Thu, Jul 23, 2020 at 3:19 PM

Subject: Re: Requesting a more thoughtful response from management to complaint filed

5/30/20

To: Vanessa Ott <msvott@gmail.com>

### Aloha Ms. Ott:

This responds to your July 22, 2020 email raising questions about the response I just provided to you. I apologize for not being clear and would like to clarify what I tried to convey.

First, I have reread my response to you and if you read it to suggest that I said "appropriate actions were taken by DOE management to the best of its ability" that is not what I tried to convey to you. What I meant was "we take every complaint seriously and we attempt to address each to the best of our abilities." Perhaps I should have reiterated that "each" refers to each complaint. We take every complaint seriously and we attempt to address each complaint to the best of our abilities. I sincerely apologize for being unclear.

Second, with reference to HAR § 8-5-8. If you had requested a copy of the DOE Procedural Safeguard Notice for IDEA Parents and Students, then, I would agree that HAR § 8-5-8 ought to apply. But that is not what you requested.

Third, as to the use of electronic signatures, please know that under HRS §489E-5, electronic signatures are acceptable "only to transactions between parties **each of which has agreed to conduct a transaction by electronic means**." Your suggestion that the DOE should modernize its thinking and procedures will be constructively taken. Thank you.

Fourth, as to your suggestion to improve the DOE by changing its procedures to provide for a second adult to be included in DOE correspondence with the parent, we shall take your suggestion into consideration. FERPA, which covers how education records are to be protected from disclosure, defines a parent as "the natural or legal parent, guardian or other legal custodian of the student." It does not provide for a second adult to have access to student records without the written consent of the student or parent. Written consent requires (1) the date and signature of person authorizing the release of the records; (2) kinds of records to be released; and (3) reasons for release; and (4)

name of person to receive or examine the records. I will work with my staff and possibly others in the DOE to examine whether the written consent provisions of FERPA, or other laws, would allow or prohibit your proposal.

In the interest of moving forward, Ms. Taguchi will be substituted by Ms. Brikena White and/or her designee. I sincerely appreciate your email and suggestions. Let's agree to work collaboratively in the best interest of Tevita Ahomana.

Very truly yours, Cara Tanimura

Cara Tanimura Hawaii State Department of Education Monitoring and Compliance Branch P.O. Box 2360 Honolulu, Hawaii 96804

Office: (808) 307-3600

Email: cara.tanimura@k12.hi.us

### FRAUD & FTHICS COMPLAINT REPORT

### REPORT DETAILS

Report Submission Date

5/30/2020

Reported Company/Branch Information

Location Office of the Deputy Supt- Office of the Deputy Supt - OS 3 1390 Miller St, Rm 309

City/State/Zip:

Honolulu, HI, 96813, United States)

Relationship to the Company or Organization?

Other

Please identify the person(s) engaged in this behavior:

Taren Taguchi - Education Specialist

Do you suspect or know that a supervisor or management is involved?

Do Not Know / Do Not Wish To Disclose

Is management aware of this problem?

Do Not Know / Do Not Wish To Disclose

What do you estimate the monetary value of this matter to be?

USD USD<99

Where did this incident or violation occur?

Information is in attached PDF file.

Please provide the specific or approximate time this incident occurred:

Information is in attached PDF file.

How long do you think this problem has been going on?

3 months to a year

How did you become aware of this violation?

It happened to me

Please identify any persons who have attempted to conceal this problem and the steps they took to conceal it:

Information is in attached PDF file.

Details

Information is in attached PDF file.

**Uploaded Files** 

1. <u>2020-05-30-Ethics-Complaint-re-Taguchi.pdf</u>

Follow-Up Questions/Comments

## 6/5/2020 2:08 PM posted by Organization

Thank you for bringing this matter to our attention. We have forwarded your concerns to the appropriate area for review. The Department of Education (DOE) follows the guidance of FERPA laws and employees handle privacy issues cautiously. The issues you have mentioned in your complaint have been addressed with Ms. Taguchi as found appropriate by DOE management. This case has been closed.

## 6/6/2020 4:52 AM posted by Reporter

Who is the person in management who made the decision that Ms. Taguchi's behavior is appropriate?

## 6/8/2020 1:34 PM posted by Organization

Hello. To quote the previous response "The issues you have mentioned in your complaint have been addressed with Ms. Taguchi as found appropriate by DOE management." This meant that the issues noted in the hotline complaint were addressed with Ms. Taguchi as "deemed appropriate by DOE management". Due to the privacy rights of our employees, we will not post detailed information regarding the resolution. This case remains closed. Thank you.

## ATTACHED PDF FILE: 2020-05-30-Ethics-Complaint-re-Taguchi.pdf



2825 S. King St., #2901, Honolulu, HI 96826

MsVOtt@gmail.com

FreeSpeech4us.com

(808) 854-1018

## May 29, 2020

To: Fraud & Ethics Complaint Hotline

re: Unethical behavior of Office of the Deputy Superintendent Monitoring and Compliance Branch Education Specialist.

## Aloha.

I am a community volunteer who has been helping a Tongan mother, Feketi Huahulu, and her special needs son for the past three years. Ms. Huahulu received her academic education in Tonga up to the age of 16, and came to the United States in her early twenties. Her English is not very good. So, I help her with many things including, but not limited to, communication -- both understanding the incoming and helping to compose the outgoing. And yes, I do advise her on various educational matters because I have the training, qualifications, and experience to do so. My curriculum vitae is available on my web site home page (address above), if that matters to you.

On May 28, 2020, Ms. Huahulu contacted Taren Taguchi, Education Specialist with the Office of the Deputy Superintendent Monitoring and Compliance Branch, requesting information about free and low-cost legal services to assist with a due process hearing request. [5/28]

Instead of providing the requested information, Ms. Taguchi responded by refusing to use the mother's email address to provide the information on the pretext of not trusting the email address, and justifying this lack of professional responsibility with a false accusation of forgery! [5/28] Her response, verbatim, to Ms. Huahulu's request was:

"I'm sorry, I cannot trust this email address because it was called to my attention that someone was forging the parent's electronic signature."

Ms. Taguchi's behavior is unethical. I draw upon these dictionary.com definitions for ethical: "(1) pertaining to or dealing with morals or the principles of morality; pertaining to right and wrong in conduct; (2) being in accordance with the rules or standards for right conduct or practice, especially the standards of a profession."

The standard of **professionality** I expect from someone in Ms. Taguchi's position is to respond to a request for general information within one day. [HAR §8-5-8] If she had the time to write an insulting email, Ms. Taguchi had time to send the requested information, or tell Ms. Huahulu where she could get this information.

The standard of **morality** I expect from Americans is to not "bear false witness" against anyone. Although I'm an atheist, I'm a moral person who agrees with this Judeo-Christian-Muslim ethic which is strongly reflected in our laws against slander, libel, and perjury.

## Regarding Ms. Taguchi's False Accusation of Felonious Activity

From the first time I contacted Ms. Taguchi [12/5] on behalf of Ms. Huahulu, Ms. Taguchi has been hostile to the concept of me assisting Ms. Huahulu with her communications. Ms. Taguchi's actions from the beginning were divisive, writing to Ms. Huahulu and I separately in spite of Ms. Huahulu's specific wishes to the contrary.

When we tried to rectify this, Ms. Taguchi bureaucratically bullied Ms. Huahulu by making her sign forms she'd already signed in the many years I've been a close associate in her child's education, and jumping through other paperwork hoops. For example, Ms. Taguchi would not accept an HAR-34 form digitally signed by Ms. Huahulu (which should have been on file with the DOE anyway), and demanded a "wet signature" paper copy be mailed to her. This required that I be involved because Ms. Huahulu does not own a printer. Now, in light of new discoveries due to the coronavirus pandemic, this all seems rather silly and ill-advised. Signing and sending documents digitally is just as acceptable as paper copies with "wet" signatures. Even more so, in my opinion, because of speed, reliability, and precisely because it's *not* "wet," and *not* been physically handled by multiple strangers. Ms. Huahulu and I responded promptly to all of Ms. Taguchi's demands. [12/5–12/13] Still, Ms. Taguchi was not satisfied.

After Ms. Taguchi continued to send email to Ms. Huahulu purposely excluding me, Ms. Huahulu again asked Ms. Taguchi on December 12<sup>th</sup> [12/12] to include me in all correspondence because her English is not good. Ms. Taguchi responded that Ms. Huahulu's English is perfect. [12/13] To correct Ms. Taguchi's misassumption that Ms. Huahulu had responded to Ms. Taguchi's emails without my assistance, Ms. Huahulu and I co-signed an email to Ms. Taguchi on December 13<sup>th</sup> explaining the situation. [12/15] We sent this correspondence from Ms. Huahulu's email account to ensure that Ms. Taguchi understood that although written by me, the correspondence was coming from Ms. Huahulu as well.

Ms. Taguchi responded [12/15] with a strange email accusing "someone" (i.e., me) of pretending to be Ms. Huahulu. She told Ms. Huahulu she would not correspond with her via email again, and that she'd be checking up on her to be sure she's living at the address the DOE has on file for her. She also told Ms. Huahulu that if she wanted to file a due process complaint, she could file electronically, but she'd still have to submit the forms with a wet signature, too. Then, Ms. Taguchi dismissed Ms. Huahulu with, "Good luck in your endeavors." We tried to avoid Ms. Taguchi after that first false accusation and didn't bother to file a complaint hoping we would not have to deal with her very much in the future.

As she foreshadowed in December, Ms. Taguchi sent a letter via USPS to Ms. Huahulu's home in February 2020 from Ms. Taguchi. [2/6] It was written in Tongan and addressed to the deceased husband of the Japanese woman who owns the condo where Ms. Huahulu and her son have lived for the past several years. That was kind of creepy; the elderly lady who received the letter was confused as was Ms. Huahulu who didn't understand why this letter was being addressed to the woman she lives with. So, Ms. Huahulu asked for my assistance. With the help of an online Tongan-to-English

dictionary, I figured out what Ms. Taguchi was asking. With my help, Ms. Huahulu responded in a letter post-mailed around March 11<sup>th</sup>. [3/11] Once again, Ms. Huahulu asked Ms. Taguchi to correspond with her in English and include me in all correspondence.

On May 28, 2020, Ms. Huahulu sent an email to Ms. Taguchi for information about low-cost and free legal services to assist with her IDEA due process hearing request. This brings us full circle to where I began this ethics complaint – with Ms. Taguchi's response:

"I'm sorry, I cannot trust this email address because it was called to my attention that someone was forging the parent's electronic signature."

Whoever said "someone" (i.e., me) has been forging Ms. Huahulu's signature is a liar. There is no justifiable reason to warrant the insult of the falsely accusing me of a crime.

This is an appropriate resolution of this ethics complaint:

- 1. Provide Ms. Huahulu with the information she requested about free and low-cost legal services who can help her with her complaint.
- 2. Direct Ms. Taguchi to respect Ms. Huahulu's wishes that I be included in all correspondence Ms. Huahulu has with the Department of Education.
- 3. Direct Ms. Taguchi to use Ms. Huahulu's email to correspond with Ms. Huahulu, and accept the fact that I'm going to help Ms. Huahulu compose responses.
- 4. An emailed apology to me for implying I am guilty forgery, and an apology to Ms. Huahulu for disrespecting her wishes that I be included in correspondence with the Department of Education.

Mahalo,

Vanessa Ott

attachments: CORRESPONDENCE

The letter above has links to the correspondence Ms. Huahulu and Ms. Ott had with Taren Taguchi December 5, 2019 – May 28, 2020. This correspondence and other relevant information is compiled chronologically on pages 6-30 below.

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### ATTACHMENT: CORRESPONDENCE

8/9/19 – Huahulu: Signed authorization for Vanessa Ott to be involved in all communications between me and the school.

Feketi Huahulu (parent) hand-delivered the following letter to Robert Louis Stevenson Middle School.

Feketi (Toakase) Ahomana 1326 Keeaumoku St., #106 Honolulu, HI 96814 August 9, 2019

re: Tevita Ahomana (grade 6 student)

Robert Louis Stevenson Middle School 1202 Prospect St. Honolulu, Hawaii 96822

To Whom It May Concern,

Note: Tevita Ahomana's mother started the school year with her married name, but later returned to her maiden name, Huahulu. See 12/10/19 for the same letter signed with Ms. Huahulu's maiden name.

The letter serves as written notice that in all matters concerning my son, Tevita Ahomana, I authorize the school to communicate with Vanessa Ott as freely as they do with me.

Vanessa Ott shall serve as my interpreter and assistant at IEP meetings. She will communicate with teachers, and other staff as needed, and keep me informed of any communications she has with school employees concerning my son.

When communicating with me via email, or scheduling meetings, please make sure that Vanessa is cc:'ed on these announcements and kept in the communication loop.

Thank you,

Feketi Ahomana

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12/5/19 – Ott to Taguchi : I am parent's assistant and interpreter. We request a meeting with you.

From: Vanessa Ott <msvott@gmail.com> Date: Thu, Dec 5, 2019 at 12:39 AM

Subject: Request a meeting to submit a complaint

To: <taren.taguchi@k12.hi.us>

Aloha,

We have been instructed that our next step to ensure that the DOE provides FAPE for Tevita Ahomana (student ID: 1281600637) is to contact you. We have several complaints about the substandard education he is receiving.

I am the parent's interpreter and assistant. Attached is a copy of the signed letter on record with Robert Louis Stevenson Middle School authorizing my involvement. We request a meeting with you to discuss our concerns.

Mahalo, Vanessa Ott & Feketi Huahulu (Formerly Feketi Ahomana) 808 - 854 -1018

Feketi (Toakase) Huahulu 1326 Keeaumoku St., #106 Honolulu, HI 96814 December 10, 2019

re: Tevita Ahomana (student ID: 1281600637)

Robert Louis Stevenson Middle School 1202 Prospect St.

Honolulu, Hawaii 96822

To Whom It May Concern,

The letter serves as written notice that in all matters concerning my son, Tevita Ahomana, I authorize all State of Hawaii Department of Education employees to communicate with Vanessa Ott as freely as they do with me, the parent.

Vanessa Ott shall serve as my interpreter and assistant at IEP meetings. She will communicate with teachers, and other staff as needed, and keep me informed of any communications she has with school employees concerning my son.

When communicating with me via email, or scheduling meetings, please make sure that Vanessa is cc:'ed on these announcements and kept in the communication loop.

Thank you,

Feketi Huahulu

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12/5/19 – Taguchi to Ott: I can't release confidential information. You can file a 3<sup>rd</sup>-Party State Complaint concerning IDEA violations.

From: Taren Taguchi <taren.taguchi@k12.hi.us>

Date: Thu, Dec 5, 2019 at 11:25 AM

Subject: Re: Request a meeting to submit a complaint

To: Vanessa Ott <msvott@gmail.com>

Aloha Ms. Ott,

I hope you're having a good Thursday.

Thank you for your correspondence. As you know, Family Educational Rights and Privacy Act prohibits me from releasing confidential information about a student's educational record without written permission from the parent. You probably already know that you may file a third party state written complaint, but the results or report will not be sent to you. The results will be sent to the parents. You are welcome to file a third party complaint and I've attached the form. I suggest you discuss the parent's options in filing a state written complaint versus using other means of dispute resolution. Ask the parent to send me their email address. There have been several parents who were disappointed with the process because they were unaware of the limitations of state written complaint to resolve disputes as to noncompliance. I'm also attaching the DOE's form: Consent to Release Information to be signed by the parent. Please specify what information can be released. Also, this form gives the recipient access to the records, but is not for representation.

Here are the websites:

<u>Written complaint form</u> (You are not required to use the form but it's helpful to get your thoughts organized)

Takes 60 days to complete an investigation.

http://www.hawaiipublicschools.org/DOE%20Forms/Special%20Education/WrittenComplaint.pdf

## State Complaint Procedures:

http://www.hawaiipublicschools.org/DOE%20Forms/Special%20Education/StateCompliantProcedures.pdf
Mahalo.

Taren Taguchi, Educational Specialist IDEA Complaints Management Program Monitoring and Compliance Branch Office of the Deputy Superintendent Hawaii Department of Education P.O. Box 2360 Honolulu, HI 96804

Honolulu, HI 96804 Cell: 808-853-0261 taren.taguchi@k12.hi.us

## 12/5/19 – Ott: Parent want to file a complaint. I am helping her. Will you arrange a time to meeting with us?

From: Vanessa Ott <msvott@gmail.com>

Date: Thu, Dec 5, 2019 at 3:39 PM

Subject: Re: Request a meeting to submit a complaint

To: Taren Taguchi <taren.taguchi@k12.hi.us>

Cc: Feketi (Toakase) Huahulu <huahulufeketi@gmail.com>

I'm sorry if you misunderstood. The *parent* wants to file a complaint and I am helping her do that because she is not proficient in English. The CAS instructed us to take the complaint to you.

So, will you please arrange a time to speak with us about Ms. Huahulu's complaints?

Mahalo, Vanessa Ott 808 - 854 -1018

Page 9 of 27

12/10/19 – Huahulu: Signed authorization for Vanessa Ott to be involved in all communications between me and the school.

Hand delivered to Robert Louis Stevenson Middle School.

Feketi (Toakase) Huahulu 1326 Keeaumoku St., #106 Honolulu, HI 96814 December 10, 2019

re: Tevita Ahomana (student ID: 1281600637)

Robert Louis Stevenson Middle School 1202 Prospect St. Honolulu, Hawaii 96822

To Whom It May Concern,

The letter serves as written notice that in all matters concerning my son, Tevita Ahomana, I authorize all State of Hawaii Department of Education employees to communicate with Vanessa Ott as freely as they do with me, the parent.

Vanessa Ott shall serve as my interpreter and assistant at IEP meetings. She will communicate with teachers, and other staff as needed, and keep me informed of any communications she has with school employees concerning my son.

When communicating with me via email, or scheduling meetings, please make sure that Vanessa is cc:'ed on these announcements and kept in the communication loop.

Thank you,

Feketi Huahulu

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12/10/19 – Ott to Taguchi: Will you arrange a time to meet with us or is there someone else we should contact?

From: Vanessa Ott <msvott@gmail.com> Date: Tue, Dec 10, 2019 at 3:05 PM

Subject: Re: Request a meeting to submit a complaint

To: Taren Taguchi <taren.taguchi@k12.hi.us>

Cc: Feketi (Toakase) Huahulu <huahulufeketi@gmail.com>

Aloha Ms. Taguchi,

Complex Area Superintendent wrote to us, "Please feel free to contact Educational Specialist, Taren Taguchi, IDEA Complaints Management Program, Monitoring and Compliance Branch, Office of the Deputy Superintendent at Cell: 808-853-0261 or email at <a href="mailto:taren.taguchi@k12.hi.us">taren.taguchi@k12.hi.us</a>."

If you are indeed the next person we should talk to, please arrange a time for a meeting.

If you are not the person we should schedule a meeting with, please tell us who we should contact.

Mahalo, Vanessa Ott & Feketi Huahulu 808 - 854 -1018

12/11/19 – Ott to Taguchi: Attached is parent's signed HAR form. What is the next step?

From: Vanessa Ott <msvott@gmail.com> Date: Wed, Dec 11, 2019 at 6:08 PM

Subject: Re: Request a meeting to submit a complaint

To: Taren Taguchi <taren.taguchi@k12.hi.us>

Cc: Feketi (Toakase) Huahulu huahulufeketi@gmail.com

Attached is parent's signed form.

Parent's email is in recipient list.

What is the next step?

Mahalo, Vanessa Ott 808 - 854 -1018



# OF INFORMATION

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D. O. Box 2360 Honolulu HI 96  didress City State Zip 1  Faren Taguchi 808-586-5374 None  Phone Number Fax Number  Discreption of Education Contact  Phone Number Fax Number  Eax Number  Fax	Honolulu HI 96804
D. O. Box 2360 Honolulu HI 96  didress City State Zip 1  Faren Taguchi 808-586-5374 None  Phone Number Fax Number  Discreption of Education Contact  Phone Number Fax Number  Eax Number  Fax	Honolulu
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ddress City State Zip Co	Date 808-308-8977  Biglible Student Phone Number
1326 Keeaumoku St., #106 Honolulu HI	

12/12 /19 – Taguchi to Huahulu: Thank you for your email address. When you answer the following questions, I will send you important information.

From: Taren Taguchi <taren.taguchi@k12.hi.us>

Aloha,

I hope you are having a good day. Thank you for giving me this email address. If I typed this email address correctly and if you agree to have confidential information sent to this email address, please answer the following questions:

- 1. Student's first and last name
- 2. Student's date of birth
- 3. Student's home school

When I receive a reply with the correct answers, I will send you important information. Have a good day.

Mahalo,

Taren Taguchi, Educational Specialist IDEA Complaints Management Program Monitoring and Compliance Branch Office of the Deputy Superintendent Hawaii Department of Education P.O. Box 2360 Honolulu, HI 96804

Cell: 808-853-0261 taren.taguchi@k12.hi.us

12/12/19 – Huahulu to Taguchi: Here are the answers you requested.

From: Feketi - Toakase Huahulu <huahulufeketi@gmail.com>

Date: Thu, Dec 12, 2019 at 3:48 PM Subject: Re: Department of Education

To: Taren Taguchi <a href="mailto:taren.taguchi@k12.hi.us">taren.taguchi@k12.hi.us</a>

See my answers below.

On Thu, Dec 12, 2019 at 3:08 PM Taren Taguchi < <a href="mailto:taren.taguchi@k12.hi.us">taren.taguchi@k12.hi.us</a>> wrote: Aloha,

I hope you are having a good day. Thank you for giving me this email address. If I typed this email address correctly and if you agree to have confidential information sent to this email address, please answer the following questions:

1. Student's first and last name

Tevita Ahomana

2. Student's date of birth

June 23, 2007

3. Student's home school

Robert Louis Stevenson Middle School

12/12/19 – Taguchi to Ott: I sent you links for information how to file a complaint. The State written complaint must have a wet signature and a hard copy sent to the DOE

From: Taren Taguchi <taren.taguchi@k12.hi.us>

Date: Thu, Dec 12, 2019 at 4:35 PM

Subject: Re: Request a meeting to submit a complaint

To: Vanessa Ott <msvott@gmail.com>

Hi Vanessa,

Hope you're doing well.

Could you scroll to the <u>beginning of this email</u>. I attached the link for a state written complaint. You can make a 3rd party state written complaint. No meeting is necessary. Also attached is the regulations about the state written complaint. Forgive me if I'm repeating myself, but I write a lot of emails every day. Anyone or agency may submit a state written complaint as a third party, but they will not receive the results. The parent will get a copy of the results. In addition, parents are often confused about the limitations of the investigation of the state written complaint. Since you're a lawyer, I know you know the difference between the state written complaint and the due process hearing request. School says mediation is pending, so possibly your issues will be resolved. Often mediation will delay the investigation for the state written complaint. The state written complaint must have a "wet" signature hard copy sent to the PO box address. Have a good day.

#### Mahalo.

Taren Taguchi, Educational Specialist IDEA Complaints Management Program Monitoring and Compliance Branch Office of the Deputy Superintendent Hawaii Department of Education P.O. Box 2360 Honolulu, HI 96804

Cell: 808-853-0261 taren.taguchi@k12.hi.us

12/12/19 – Taguchi to Huahulu: Is Vanessa Ott an attorney? Please send a paper copy of HAR 34 with a wet signature. The state written complaint is limited to investigations of noncompliance of IDEA

From: Taren Taguchi <taren.taguchi@k12.hi.us>

Date: Thu, Dec 12, 2019 at 4:55 PM Subject: Re: Department of Education

To: Feketi - Toakase Huahulu <huahulufeketi@gmail.com>

Aloha Ms. Huahulu,

Thank you for your speedy reply. Thank you for taking my call today. I wanted to make sure to make a connection with you and ask if Ms. Vanessa Ott is an attorney? I received this document with your signature, but it is not a "wet" signature, so wanted to make sure you agreed to this release. Do you agree to let Vanessa Ott see your child's records?

In addition, I like to share a list of websites with parents so they have all the information. If you have any questions, please call me. My services are free. Vanessa said you are interested in filing a state written complaint. Just wanted to let you know that the state written complaint is limited to investigations of noncompliance of IDEA.

## 1. Procedural Safeguards Notice (in 14 languages)

http://www.hawaiipublicschools.org/DOE%20Forms/Special%20Education/Procedural%20S afeguards/ProceduralSafeguards.pdf

## 2. Special Education website

http://www.hawaiipublicschools.org/TeachingAndLearning/SpecializedPrograms/SpecialEducation/Pages/home.aspx

## 3. Mediation brochure

http://www.hawaiipublicschools.org/DOE%20Forms/Special%20Education/Mediation.pdf

4. <u>Mediation form:</u> (usually the school will fill this out, but you can fill it out and send it to the Mediation Center of the Pacific)

http://www.hawaiipublicschools.org/DOE%20Forms/Special%20Education/AlternativeDisputeResolutionForm.pdf

<u>5. Written complaint form</u> (You are not required to use the form but it's helpful to get your thoughts organized)

Takes 60 days to complete an investigation.

http://www.hawaiipublicschools.org/DOE%20Forms/Special%20Education/WrittenComplaint.pdf

## 6. State Complaint Procedures:

http://www.hawaiipublicschools.org/DOE%20Forms/Special%20Education/StateCompliantProcedures.pdf

7. Due Process Hearing Request. (You are not required to use this form, but I think it's to your advantage)

Takes an average of 4 months to complete and 85% of parents are represented by an attorney)

To find free/reduced representation, please consult the Procedural Safeguards Notice, last page (#1 of this email)

http://www.hawaiipublicschools.org/DOE%20Forms/Special%20Education/RequestforDueProcessHearing.pdf

- 8. A Parent's Guide to Partnership in Special Education<a href="http://spinhawaii.org/education-parent-guide/">http://spinhawaii.org/education-parent-guide/</a>
- 9. US Department of Education Dispute Resolution Procedures
  <a href="https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/acccombinedosersdisputeres">https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/acccombinedosersdisputeres</a>
  olutiongafinalmemo-7-23-13.pdf
- 10. The Center for Appropriate Dispute Resolution in Special Education

http://www.cadreworks.org/

11. The Code of Federal Regulations for IDEA

https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title34/34cfr300 main 02.tpl

12. Hawaii Administrative Rules (HAR) Title 8, Chapter 60

http://boe.hawaii.gov/policies/AdminRules/Pages/AdminRule60.aspx

Mahalo,

Taren Taguchi, Educational Specialist IDEA Complaints Management Program Monitoring and Compliance Branch Office of the Deputy Superintendent Hawaii Department of Education P.O. Box 2360 Honolulu, HI 96804

Cell: 808-853-0261 taren.taguchi@k12.hi.us

12/12/19 – Huahulu to Taguchi: Vanessa helps me. She is my interpreter. I want her to be involved in everything. Please communicate with Vanessa and send copies to me.

From: Feketi - Toakase Huahulu <huahulufeketi@gmail.com>

Date: Thu, Dec 12, 2019 at 5:29 PM Subject: Re: Department of Education

To: Taren Taguchi <a href="mailto:taren.taguchi@k12.hi.us">taren.taguchi@k12.hi.us</a>

Cc: Vanessa Ott <msvott@gmail.com>

Hello,

I'm sorry my English is not good. That is why Vanessa helps me. She is my interpreter. I want Vanessa to be involved in everything that has to do with Tevita's education. I signed the release.

Please include Vanessa Ott in all correspondence about my son's education. She always includes me in emails and explains everything that is happening. She is not an attorney, but is my interpreter and my friend, I trust her.

Please communicate with Vanessa Ott and send copies to me. If you have questions, ask her, and if you want to talk, please call her at her phone number -- 808-854-1018. I don't check my email every day. Vanessa does, and she explains it all to me.

Thank you, Toakase Huahulu

\_\_\_\_\_

12/12/19 – Balatico to Huahulu: Communicate only with me. I have instructed teachers and counselors to ignore any communication from you or Vanessa Ott that does not come through me. Ms. Ott is not a licensed attorney, nor is she a trained advocate in a public agency.

From: Katherine Balatico <katherine.balatico@k12.hi.us>

Date: Thu, Dec 12, 2019 at 10:09 PM

Subject: Fwd: Follow up re: 11/22 meeting - ReadyMath differentiation

To: Feketi (Toakase) Huahulu <huahulufeketi@gmail.com>

Aloha Mrs. Ahomana,

I hope you're having a good week. I wanted to touch bases with you about our communications with your son's private tutor, Vanessa. You are welcome to share this information with anyone you wish. However, the Department of Education is prohibited from releasing any educational records about your son to anyone without written consent. We will be happy to release specified information to a third party as soon as we receive a "Consent to Release Information" form signed by you.

The tutor you hired seems to be the family's voice in bringing up issues about Tevita's education. We understand that the tutor is not a licensed attorney, nor is she a trained advocate in a public agency. We would like to confirm that you share these issues as well by sharing the information with you. In addition, we would like to share a little about Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and our responsibility to provide Tevita with a Free Appropriate Public Education (FAPE) through the delivery of the Individualized Education Program (IEP) in the Least Restrictive Environment (LRE).

As you may know, the school is solely responsible to provide FAPE to Tevita. While you are a vital member of the IEP team, the IEP team does not deliver the services to Tevita. The delivery of FAPE is the responsibility of the school. You are welcome to provide input on the delivery of FAPE, and after careful consideration, the school has the ultimate responsibility and must make decisions on the implementation of the IEP. That means that the school cannot hold the parents responsible to teach their children while at school. I am confident that the staff at Stevenson Middle are trained to deliver FAPE to Tevita through the delivery of the IEP in the LRE. I hope you will continue to be an active participant through the IEP process.

Since the start of the 2019-2020 school year, your private tutor, Vanessa has shown a strong interest in Tevita's education at Stevenson. While we welcome any concerns you may have about the delivery of FAPE to Tevita, we have explained to your tutor that the delivery of the IEP is the sole responsibility of the Department of Education. The choosing of a curriculum or methodology is the responsibility of the school and not the IEP team. The school has about 1800 minutes per week to provide direct instruction to Tevita. The tutor has contacted the school on average 7 times per week for a total of 63 contacts for nine weeks of school (111 contacts since the start of the school year). While we encourage all parents to bring any moral support to the IEP meetings or to help them navigate the educational system, we must draw

the line when the communications may impede the school's ability to deliver direct instruction to your son.

Each response removed Tevita's teachers from preparation and instruction. Teachers spent at least 111 hours to read, research, and draft a response. This is over 6,660 minutes, which equates to 148 periods that the teachers could use to plan for instruction. The staff at the school are overwhelmed with the numerous amounts of duplicative communications and the amount of time it takes to respond to these communications.

I would like to prevent any confusion in our communication. In order to streamline and get a response to you faster, please make all your concerns known to me alone. If you send any contact (email, phone call, text) to anyone other than me, my teachers and counselors will be instructed to ignore the contact and focus on their classrooms and student supports. Please instruct anyone acting on your behalf to do the same. We are focused on Tevita's education and feel impeded by the numerous repetitive communications sent to multiple recipients requiring multiple responses.

In regards to Ms. Ott's December 3, 2019 email about Tevita's ReadyMath instruction, I want to reassure you that his teacher is working with him on grade 6 math standards and will continue to do so with grade 6 ReadyMath, scaffolding, and with supplemental learning resources.

We feel our communication is not efficient and am asking for the services of the Mediation Center of the Pacific. They will be contacting you within the next week to discuss a time and place to meet to discuss the communications we received. They are not employees of the Department of Education, and they will be impartial. The service is free to the schools and to you. Please be open and candid with the Mediation Center of the Pacific so we can meet and resolve these issues as soon as possible.

The work Ms. Ott does with Tevita is invaluable. The family's participation in Tevita's education remain vital in his success, so we do not want to miss any of your communication or provide different answers for the same issues. Please inform anyone speaking on your behalf who is not a licensed attorney, to include you in the email or have you present when meeting with me. Please support the school by not communicating with anyone but me.

Thank you for your kokua, Katherine Balatico Principal R.L. Stevenson Middle School Office (808) 587-4520 Fax (808) 587-4523

12/13/19 – Taguchi to Huahulu: Your English is perfect.

From: **Taren Taguchi** <aren.taguchi@k12.hi.us>

Date: Fri, Dec 13, 2019 at 8:08 AM Subject: Re: Department of Education

To: Feketi - Toakase Huahulu <huahulufeketi@gmail.com>

Hi Ms. Huahulu,

Your English is perfect. Thank you for your speedy reply.

Have a great day.

12/15/19 – Huahulu: Request IEP be corrected to include my choice of Vanessa Ott as my interpreter

From: **Feketi - Toakase Huahulu** <huahulufeketi@gmail.com>

Date: Sun, Dec 15, 2019 at 5:51 AM

Subject: Fwd: Follow up re: 11/22 meeting - ReadyMath differentiation

To: Katherine Balatico <katherine.balatico@k12.hi.us>

Cc: Vanessa Ott <msvott@gmail.com>

Hello Principal Balatico,

I sent a response to your email below, but I cannot find it in my sent mailbox, so I am sending another response. I apologize if you get two responses with the same content..

My name is Feketi Huahulu. Informally, I am known as Toakase. Formally, I am "Ms. Huahulu" not "Mrs. Ahomana."

I have mailed HAR Form 34 to the Office of the Superintendent. A copy is attached.

You wrote, "The tutor you hired seems to be the family's voice in bringing up issues about Tevita's education." Part of that is incorrect. I did not hire Vanessa Ott to be Tevita's tutor. She volunteered. In the two and a half years I have known her, she has never accepted any money for tutoring Tevita or for acting as my interpreter and assistant. I <u>do</u> want her to be the family's voice in bringing up issues about Tevita's education and I've stated this many times in writing and verbally. She always consults with me, explains what is going on, and includes me in correspondence. She helps me with communication.

After looking over Tevita's current IEP, we noticed some inaccurate information:

-Mother is declining the use of an Interpreter for future meetings at Stevenson Middle School.

I never declined the use of an interpreter. I have always stated in writing and verbally that I have chosen Vanessa Ott to be my interpreter. I have only declined the use of a DOE-appointed interpreter. Therefore, I would like the IEP corrected as soon as possible so that it reads:

Mother has chosen Vanessa Ott, a family friend, to be her interpreter and speak for her as needed for future meetings at Stevenson Middle School and with other DOE personnel.

Thank you,		
Feketi Huahulu		

12/15/19 – Ott for Huahulu to Taguchi: Ms. Huahulu's English is not perfect. She wants me to assist with matters involving English. Is there a form we can sign to put this issue to rest once and for all?

From: **Feketi - Toakase Huahulu** <huahulufeketi@gmail.com>

Date: Sun, Dec 15, 2019 at 6:46 AM Subject: Re: Department of Education

To: Taren Taguchi <taren.taguchi@k12.hi.us>

Cc: Vanessa Ott <msvott@gmail.com>, <u>huahulufeketi@gmail.com</u>

Hello Ms. Taguchi,

I am writing on behalf of Ms. Huahulu because her English is not perfect. I helped her write the previous email she sent responding to your questions.

HAR Form 34 with a wet signature is in the mail. You should receive the paper copy early this coming week. A <u>digital copy is attached</u>.

For more than two years, at Ms. Huahulu's request, I have voluntarily served as her interpreter and personal assistant, and as an educational advocate for her son, Tevita. Even though I am not an attorney, I'm pretty sure she has the right to designate me as her interpreter, to speak for her at meetings we both attend, and to write letters on her behalf because she is kept informed and aware of everything that is going on. That is what she wants, and she has expressed this desire many times over the years in writing and verbally with DOE personnel, and yet it still continues to be an issue.

Is there a Form that she can sign to put this issue to rest once and for all?

I have read through the documentation you sent. Thank you for the comprehensive list of links. I do have a questions about mediation. In reading the Procedural Safeguards, it became apparent that there are no time limits specified with regard to mediation like there are with a resolution meeting and due process hearing. Therefore, I do not see any benefit to mediation because it seems like mediation will delay a due process hearing. Tevita's education is at a crisis, and we can't afford any more delays. With each passing day his achievement gap compared to his peers grows wider. So we are inclined to refuse mediation. There are other reasons, too. For example, we are hesitatnt to put a lot of time into a process the results of which are secret.

Are there any negative repercussions for refusing mediation and requesting a resolution meeting instead?

Thank you, Vanessa Ott & Feketi Huahulu 808-854-1018

12/15/19 – Taguchi: Out of the office through 1/2/20.

From: **Taren Taguchi** <taren.taguchi@k12.hi.us>

Date: Sun, Dec 15, 2019 at 6:46 AM

Subject: Out of office Re: Department of Education

To: <huahulufeketi@gmail.com>

Thank you for your email. I will be out of the office from December 13, 2019 through January 2, 2020. While on leave, I will be checking email every few days, but my response time may be delayed. Please do not hesitate to call me and leave a detailed message (student's name, school). I will be checking voicemail as well. I welcome your calls.

Mahalo,

Taren Taguchi, Educational Specialist IDEA Complaints Management Program Monitoring and Compliance Branch Office of the Deputy Superintendent Hawaii Department of Education P.O. Box 2360 Honolulu, HI 96804 Cell: 808-853-0261

taren.taguchi@k12.hi.us

12/15/19 – Taguchi to Huahulu: I will not use your email address to communicate with you anymore because someone is pretending to be you.

From: **Taren Taguchi** <aren.taguchi@k12.hi.us>

Date: Sun. Dec 15, 2019 at 5:39 PM Subject: Re: Department of Education

To: Feketi - Toakase Huahulu <huahulufeketi@gmail.com>

HI Ms. Huahulu,

I think there was some confusion.

I was writing to you and you wrote back to me, but now the tutor says she was writing the email, claiming to be you. In addition, we will be happy to hire a licensed interpreter. Does the tutor speak your language? What language do you speak? This email address does not sound authentic if people are claiming to be you. I will not be corresponding via email again because I do not trust this communication when someone admitted they were pretending to be you.

You have the state written complaint form and the due process hearing request form. If you would like to file a complaint, please do so, but I need a "wet" signature for the complaint, not just an electronic signature. I will be checking your street address to ensure that you are living at this address to ensure that you are receiving this information.

Good luck in your endeavors.

Mahalo,

Taren Taguchi, Educational Specialist IDEA Complaints Management Program Monitoring and Compliance Branch Office of the Deputy Superintendent Hawaii Department of Education P.O. Box 2360 Honolulu, HI 96804

Cell: 808-853-0261 taren.taguchi@k12.hi.us

2/6/20 – Taguchi: Mails via USPS a letter written in Tongan addressed to Eugene Shimizu (deceased) to verify Feketi Huahulu's residency at recipient's address.

(see p. 3 of the letter below)

3/11/20 – Huahulu sends USPS letter Ms. Taguchi to not send letters in Tongan, responds to Taguchi's questions about residency, and asks how to clear up this issue once and for all.

2020-03-11-Taguchi.pdf

Feketi Huahulu 1326 Keeaumoku St., #106 Honolulu, HI 96814 HuahuluFeketi@gmail.com 808-308-8977

Taren Taguchi, Education Specialist Monitoring and Compliance Branch Office of the Superintendent State of Hawaii Department of Education P.O. Box 2360 Honolulu, HI 96804

Dear Ms. Taguchi,

I am responding to your letter dated February 6, 2020 written in Tongan (enclosed).

- The letter is addressed to Eugene Shimizu (deceased) and Miyoko Shimizu, the owner of the condominium where my son and I live. Ms. Shimizu is an elderly woman and I help care for her, but she has nothing to do with the education of my son. Tevita and I live separate lives from Miyoko. I simply assist her as needed in going about her own affairs.
  - a) Please remove the names "Eugene Shimizu" and "Miyoko Shimizu" from my son's education record unless there is some reason my live-in landlord's name should be in my son's education record, and if so, please explain the reason. Every year I fill out a form that asks who lives in the household, so I assume that's where this is coming from, but my landlord/roommate should not be contacted regarding my son's education for any reason.
  - b) If you are seeking verification that I live at the address above, I received your letter at that address, and have verified my address with the DOE many times, so this fact shouldn't need to be verified with my landlady yet again, should it?
- 2) This letter you sent in Tongan looks a lot like the form I submit every year. Why am I being asked to do this again? Doesn't the DOE have all this the information in a database? How often do I have to keep verifying the information in (5) above with the DOE? The letter was confusing, but I think this is the information you are requesting:
  - a) My name is Feketi Huahulu (not Feketi Ahomana Huahulu).
  - My son, Tevita Ahomana, lives with me at 1326 Keeaumoku St., #106, Honolulu, HI 96814.
  - My roommate, Miyoko Shimuzu, also lives here, and owns the condominium at this address

p. 1 of 3

- d) There are no other people living in the condominium.
- 3) I have said in the past to many others in the DOE, and I will say again, I do not want any Tongan people living in Oahu to be involved in my son's confidential information. I do not want a Tongan interpreter or translator. The Tongan community in Hawaii is very small and the people gossip. I was alarmed to receive a letter from you that was written in Tongan, but your answering machine message was in English. Please do not send me any more letters in Tongan. Besides, some of the letter just didn't make any sense to me. This is not the way I want to be contacted.
- 4) It is better for me if you communicate in English and include Vanessa Ott, my interpreter. I know enough English that Ms. Ott is able to help me understand my options so I can make informed decisions. If I have something to say, she helps me say it, or write it. Also, she has no contact with the Oahu Tongan community.
- I want Ms. Ott to be included in my communication with DOE personnel for the reasons stated in item (3).
  - a) I would prefer if you would use email whenever possible and cc:' Ms. Ott. You wrote to me on 12/15/19 that you would not send me any more email because Ms. Ott was helping me read and respond to email. I do not understand that, and ask again that you use email whenever possible to communicate with me and make sure Ms. Ott is included.
    - My email is: HuahuluFeketi@gmail.com
    - ii) Ms Ott's email is: MsVOtt@gmail.com
  - b) If you would like to speak with me, I would like to have Ms. Ott present. We can arrange a phone or face-to-face meeting time in advance. It is best to make arrangements via email as described in (4)(a) above, or call Ms. Ott to make arrangements (808-854-1018).
- 6) What do I have to do to get these issues settled once and for all? I want Ms. Ott to serve as my interpreter and assistant in all communications with the Department of Education? What is going to satisfy the DOE's need for verification that this is what I want, and what do I have to do to get that level of cooperation? Should the three of us meet face-to-face? How about if we arrange a phone meeting with the three of us? Can you help me solve this ongoing, irritating, time-consuming problem?

Thank you,	
Feketi Huahulu	
encl.: (1)	

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## February 6, 2020 Eugene Shimizu falala & Miyoko Shimizu falala 1326 Keeaumoku St. #106 Honolulu, Malo e lelei 96814 TOE: Feketi Ahomana Huahulu Si'i Eugene Shimizu mo Miyoko Shimizu falala: 'Oku ou feinga ke fetu'utaki ki he tokotaha ni pea ne u ma'u ha tohi 'i he taimi ne 'oatu al ki he tu'asila ko 'eni. 'Oku ou fie fakapapau'i 'a e noto'anga 'o MS. Feketi Ahomana Huahulu 'i he 1326 Kesaumoku St. #106. Kataki 'o takatoki mai 'a e tohi ni 'i he sila kuo 'oatu kiate kita fekau'aki mo e ngaahi tali. 'Oku lolotonga nofo 'i he 'api ni ko e: 'lo 'ikai 1. Feketi Ahomana Huahulu \_\_. 2. Child 1 \_\_\_} 3. Child 2 \_\_\_.} 4. tamasi'i 3 \_ \_. ko e ngaahi 'a'au kehe 'oku nau fekau'aki Mahalo ki ho'o kokua. Kapau 'oku 'i ai ha'amou ngaahi fehu'i, kataki 'o ongo'i tau'ataina ke fetu'utaki mai kiate au 'i he 808-853-0261. Fakamatoato Taren Taguchi, mataotao fakaako Va'a kuo vakai'i mo talangofua ki ai 'Ofisi 'o e tokoni palesiteni Potungaue Ako 'a Hauai'i

f: Feketi Ahomana Huahulu

p. 3 of 3

## 3/24/20 – Huahulu: Attached is my IDEA Due Process Hearing Request Form 105

From: **Feketi - Toakase Huahulu** <huahulufeketi@gmail.com>

Date: Tue, Mar 24, 2020 at 11:56 AM

Subject: IDEA Due Process Complaint & Request for Hearing

To: Taren Taguchi <taren.taguchi@k12.hi.us>

Cc: Vanessa Ott <msvott@gmail.com>

Hello Ms. Taguchi,

Attached is my Due Process Complaint & Request for IDEA Due Process Hearing Form 105 + attachment.

Due to Mayor Caldwell's Work from Home Order, it appears that we will have to use some type of online meeting software to conduct business. Ms. Ott can help me with the technology. I need to arrange a practice session with someone at the DOE in advance of a resolution session to make sure I am able to get connected.

Per the letter I mailed to you a couple of weeks ago, please include Ms. Ott when making arrangements for meetings -- either cc: her on email, email her directly and cc: me, or call her (not me) if you want to make any meeting arrangements via voice contact. It is so much easier for me if she handles my basic communication when making meeting arrangements.

Thank you, Feketi Huahulu

## attachments:

RequestforDueProcessHearing-ID-1281600637-signed.pdf
Attachment-Due-Process-Hearing-Request-ID-1281600637.pdf

3/24/20 – Taguchi: (In Tongan) A list of Special Education rights in Tongan, and information about mediation, are at the cited web sites.

From: **Taren Taguchi** <a href="mailto:<a href="mailto:Taren.taguchi@k12.hi.us">taren.taguchi@k12.hi.us</a>

Date: Tue, Mar 24, 2020 at 1:48 PM

Subject: Re: IDEA Due Process Complaint & Request for Hearing

To: Feketi - Toakase Huahulu <huahulufeketi@gmail.com>

Aloha Ms. Huahulu,

Kataki 'o kumi ha tatau 'o e ngaahi founga 'oku 'oatu ai e Fakalelei mo e ki'i tohi fakatokanga na'a ne 'oatu kiate koe ko e ola ia 'o e founga ngaue fakamuimui taha ki hono fai 'o e kole ke ma'u e fakangofua. 'E lava ke ma'u 'a e ngaahi paletu'a ki he founga 'oku ha 'i he ngaahi lea fakafonua kehekehe 'e 14 'i he'etau uepisaiti 'i he:

 $\frac{http://www.hawaiipublicschools.org/TeachingAndLearning/SpecializedPrograms/SpecialEducation/Pages/Rights.aspx}{}$ 

Te ke lava 'o ma'u ha lisi 'o ha matu'a 'oku tau'ataina pe 'oku ne taukave'i 'a e tafa'aki ki mui 'o e ngaahi paletu'a ki he ngaahi fakahinohino.

'Oku mau fakaafe'i koe ke ke kau 'i ha Fakalelei 'oku 'ata ki he 'apiako pea mo e matu'a pea 'oku tataki ia 'e ha impartial ('ikai ko ha tokotaha ngaue ta'e-TOA) Fakalaloa. Kataki 'o 'alu ki he uepisaiti 'i he:

http://www.hawaiipublicschools.org/DOE%20Forms/Special%20Education/Mediation.pdf

Hange ko e taimi kotoa pe, kapau 'oku 'i ai ha'o ngaahi fehu'i pe me'a 'oku ke tokanga ki ai, kataki 'o 'oua na'a ke momou ke fetu'utaki mai kiate au. Mahalo

Mahalo,

Taren Taguchi, Educational Specialist IDEA Complaints Management Program Monitoring and Compliance Branch Office of the Deputy Superintendent Hawaii Department of Education P.O. Box 2360 Honolulu, HI 96804 Cell: 808-853-0261 taren.taguchi@k12.hi.us

specialedcomplaints@k12.hi.us

3/24/20 – Huahulu: I want Ms. Ott to act as my interpreter and proceed with due process.

From: **Feketi - Toakase Huahulu** <huahulufeketi@gmail.com>

Date: Tue, Mar 24, 2020 at 8:13 PM

Subject: Re: IDEA Due Process Complaint & Request for Hearing

To: Taren Taguchi <taren.taguchi@k12.hi.us>

Cc: Vanessa Ott <msvott@gmail.com>

Ms. Taguchi,

I mailed the attached letter to your office. Maybe you did not receive it.

I don't want to communicate in Tongan. I want to communicate in English and I want Ms. Ott to act as my interpreter.

I will read the documents in Tongan that you sent me. However, I want to go ahead with due process.

Thank you, Feketi Huahulu

attachment: 2020-03-11-Taguchi.pdf

5/28/20 – Huahulu: Please send information about free and low-cost legal assistance.

From: **Feketi - Toakase Huahulu** <huahulufeketi@gmail.com>

Date: Thu, May 28, 2020 at 1:31 PM

Subject: please send information about free and low cost legal assistance

To: Taren Taguchi taren.taguchi@k12.hi.us

Hello,

I can't find the information you sent about free and low cost legal assistance. Please send that information to me.

Thank you, Feketi Huahulu

\_\_\_\_\_

5/28/20 – Taguchi: I don't trust your email address because someone is forging the parent's signature.

From: **Taren Taguchi** <aren.taguchi@k12.hi.us>

Date: Thu, May 28, 2020 at 1:53 PM

Subject: Re: please send information about free and low cost legal assistance

To: Feketi - Toakase Huahulu <huahulufeketi@gmail.com>

I'm sorry, I cannot trust this email address because it was called to my attention that someone was forging the parent's electronic signature.

Mahalo,

Taren Taguchi, Educational Specialist IDEA Complaints Management Program Monitoring and Compliance Branch Office of the Deputy Superintendent Hawaii Department of Education P.O. Box 2360

Honolulu, HI 96804 Cell: 808-853-0261 taren.taguchi@k12.hi.us

specialedcomplaints@k12.hi.us

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