

The Department of Education, State of Hawaii and Christina Kishimoto (collectively referred to as "DOE"), presents its Response to Petitioners' Complaint and Resolution Proposal ("complaint")

DOE Response:

The DOE maintains that it has appropriately offered Student a free appropriate public education ("FAPE").

SUBSTANTIVE VIOLATIONS:

1. Failure to a FAPE that is reasonably calculated for my son to make progress in the general education curriculum.

The DOE maintains that it has provided Student a FAPE. The IEP team worked diligently in developing a program for the student to make progress in his general education environment in light of the Student's circumstances.

2. Failure to provide special education and related services that are effective and based on peer-reviewed research.

The DOE maintains that they have provided a student a FAPE with regards to special education and related services. The team, including the Petitioner, worked diligently to develop a program that includes evidence-based programs that are utilized school-wide and available to all students.

3. Failure to monitor the student's progress toward his or her goals and make instructional changes when necessary.

The DOE maintains that Student's progress toward his goals are constantly being monitored and reported to parent on a regular basis.

4. Failure to provide the means for my son to achieve appropriately ambitious educational objectives in light of his circumstances.

The DOE maintains that they have provided appropriate modifications and accommodations developed for the Student's individual needs in order for him to access his educational program.

PROCEDURAL VIOLATIONS:

5. Failure to allow me and Ms. Ott to meaningfully participate in the IEP development process & educational decision making.

The DOE maintains that parent was an integral part of the development of the Student's educational program and provided valuable information that assisted the team, inclusive of the parent, to make informed decisions regarding the IEP.

6. Failure to devise an appropriate IEP based on the Tevita's individual needs and circumstances.

The DOE maintains that the Student's IEP was appropriately developed by the IEP team, inclusive of the parent, to incorporate Student's strengths and provide specialized instruction and or accommodations and modifications for student in all individual areas of need.

7. Failure to train teachers in Tevita's areas of disability, and the accommodations & supports that should be in place.

Student's teachers are appropriately trained, in accordance to State requirements, and carefully follow and implement Student's IEP.

The DOE is willing to meet with Petitioner to discuss her concerns and to attempt to resolve these matters to the parties' mutual satisfaction.

Dated: 3/31/2020 Honolulu, Hawaii, 96822


Principal