



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

OFFICE OF THE SUPERINTENDENT

December 9, 2020

TO: Complex Area Superintendents, Principals (All), District Educational Specialists, Public Charter School Executive Director, Public Charter School Directors, Teachers, Related Service Personnel

FROM: Dr. Christina M. Kishimoto
Superintendent

A blue ink signature of Dr. Christina M. Kishimoto.

SUBJECT: Parent(s)/Legal Guardian(s) Requests School Schedule Change for Students with Disabilities

The Hawaii State Department of Education's (HIDOE) Return to Learn: School Reopening Plan Principal Handbook (Principal Handbook) allows schools to adopt an instructional model within the "Act with Care" level of impact that may include face-to-face, online and/or hybrid/blended learning. Schools have not been given a waiver to the state and federal requirements to provide children with disabilities a free appropriate public education (FAPE) and all schools must fully implement students' Individualized Education Programs (IEPs) regardless of their school's instructional model and schedule. The purpose of this memorandum, therefore, is to ensure that students with disabilities receive a FAPE in this reopening phase and to provide guidance on how schools should address a parent's/legal guardian's request to change their child's school schedule.

If a school modifies or changes a student's assigned schedule based on a parent's/legal guardian's request, it may prevent the school from fully implementing that student's IEP. As such, before making changes to a student's assigned schedule, the school must inform the parent(s)/legal guardian(s) that their decision could impact the school's ability to fully implement the student's IEP, and that all special education and related services are and will continue to be available should the student return to the original assigned schedule. Attached is the *Assigned Schedule Parent(s)/Legal Guardian(s) Letter* for school use if this situation should occur. The *Assigned Schedule Parent(s)/Legal Guardian(s) Letter* must be discussed with the parent(s)/legal guardian(s), signed by the parent(s)/legal guardian(s), and uploaded into the electronic Comprehensive Student Support System Supports Tab, COVID-19 node.

Complex Area Superintendents, et al.
December 9, 2020
Page 2

The information in this memorandum is based on the information that is currently available to the HIDEOE at this time and is subject to change as new information is provided.

If you have any questions, please contact your Special Education District Educational Specialists or the Exceptional Support Branch, at (808) 305-9806.

CMK:ak
Attachment

c: Deputy Superintendent
Assistant Superintendents
Monitoring and Compliance Branch
Office of Student Support Services