

PAUL ALSTON 1126
MICHELLE N. COMEAU 9550
ALSTON HUNT FLOYD & ING
1001 Bishop Street, Suite 1800
Honolulu, Hawai'i 96813
Telephone: (808) 524-1800
Facsimile: (808) 524-4591
E-mail: palston@ahfi.com
mcomeau@ahfi.com

LOUIS ERTESCHIK 5241
MATTHEW C. BASSETT 6643
JENNIFER V. PATRICIO 8710
HAWAII DISABILITY RIGHTS CENTER
1132 Bishop Street, Suite 2102
Honolulu, Hawai'i 96813
Telephone: (808) 949-2922
Facsimile: (808) 949-2928
Email: louis@hawaiidisabilityrights.org
mattbassettesq@gmail.com

JASON H. KIM 7128
SCHNEIDER WALLACE COTTRELL BRAYTON
AND KONECKY, LLP
180 Montgomery Street, Suite 2000
San Francisco, California 94104
Telephone: (415) 421-7100
Facsimile: (415) 421-7105
Email: jkim@schneiderwallace.com

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

E.R.K., by his legal guardian
R.K.; R.T.D., through his
parents R.D. and M.D.; HAWAII
DISABILITY RIGHTS CENTER,
in a representative capacity on
behalf of its clients and all
others similarly situated,

Plaintiffs,

Case No. 10-00436 SOM-KSC

**PLAINTIFFS' STATUS REPORT
RE: COMPENSATORY
EDUCATION; APPENDICES A
AND B; CERTIFICATE OF
SERVICE**

vs.

DEPARTMENT OF EDUCATION,
State of Hawai'i,

Defendant.

**PLAINTIFFS' STATUS REPORT
RE: COMPENSATORY EDUCATION**

On August 22, 2014, this Court ruled that the class members who were prematurely rendered ineligible for continued special education and related services by Act 163 were entitled to compensatory education, and directed the parties to work on resolving various preliminary issues surrounding the provision of compensatory education. (Dkt. No. 187.) The Court also directed the parties to file status reports regarding each item by September 30, 2014. *Id.*

I. Determination of Class Members

The parties participated in status conferences with Judge Chang on August 29, 2014, and September 3, 2014. Plaintiffs and the DOE reached agreement on the language of a FERPA letter that the DOE indicated it would send in early September to inform the class members of the DOE's intention to disclose their contact

information and permit those who did not want to share their contact information with Plaintiffs' counsel to opt out. The DOE indicated the letter was sent in early September. The DOE provided Plaintiffs' counsel a list of 1426 names and addresses on September 22, 2014, and a corrected list of 1424 names on September 25, 2014. Names and contact information were not provided for:

- 23 persons who allegedly declined to disclose their addresses in response to the DOE's most recent letter;
- 2 who had died; and
- an additional 351 class members who did not receive the DOE's notice letter because the DOE has no current address for them.¹

It is unclear from the cryptic notes provided by the DOE whether: (1) the alleged refusal was communicated by a person who had proper authority to refuse; (2) what the DOE said about the nature of the compensatory services available; or (3) whether the

¹ The DOE previously indicated that it would not provide contact information for 11 persons who allegedly requested that their contact information be withheld when initially contacted in Spring 2014. Plaintiffs do not know whether these individuals are included within the 23 opt-outs.

alleged refusal was the result of miscommunication or misunderstanding regarding the nature and scope of the free services (*e.g.*, due to language difficulties) or otherwise.

These issues require further review.

II. The DOE's Ability to Provide Compensatory Education to Class Members

As Plaintiffs explained earlier, during the year following the Ninth Circuit's opinion, the DOE made no attempt to prepare to provide **any** compensatory services for young adults over 21. (*See, e.g.*, Dkt. No. 179 (Pls.' Reply) at 17-18; *cf.* Dkt. No. 176-1 (Decl. Debra Farmer) (describing only preparations for returning 20- and 21-year-olds)). The DOE sought an appropriation for the 2014-15 school year of only \$3.665 million to provide services only for the 157 students aged 20 and 21 the DOE anticipated would enroll. And on the heels of the \$4.9 million in cuts to special education unveiled two weeks ago,² it is highly improbable that the DOE—which has never before served **anyone** over 21—has educators, therapists, and other resources at the ready to provide services expediently to anyone over that age (and up to age 27). This is

² As reported in the Star-Advertiser at <http://bit.ly/1DlOV1F>.

especially true in light of the fact that a high school campus is clearly not an appropriate setting for older class members.

Plaintiffs' counsel has met with representatives of community-based organizations who are well familiar with the needs of disabled children as well as the DOE's current capabilities. They do not believe the DOE has *any ability* to service the class members' compensatory education needs given the DOE's resources and the limited availability of transitional services.

III. Private Service Providers Likely to Be Needed to Provide Compensatory Education to Class Members and Likely to Be Agreed to By the Parties

Under the IDEA and governing case law, compensatory education is defined broadly, with reference to its purpose of placing the disabled individual in the position he or she would have been in had a FAPE been properly provided. For the older class members, who were deprived of two years of special education and related services at ages 20 and 21, this means transitional services.³ Under the IDEA, those services include, among other

³ As discussed in Plaintiffs' briefing on their motion, the IDEA requires that, beginning no later than age 16, special education students receive transitional services, which refers to a "results-oriented" set of activities that focuses on preparing the individual

things, job training, educational support, community experiences, travel training, and independent living instruction. See 20 U.S.C. § 1401(34); 34 C.F.R. §§ 300.39, 300.43; HAR § 8-60-2. And, compensatory services for older students can include college classes. See *Streck v. Bd. of Educ. of the E. Greenbush Centr. Sch. Dist.*, 408 Fed. Appx. 411 (2d Cir. 2010) (affirming award of college reading and writing classes); *New Hampshire v. Adams*, 159 F.3d 680, 683 (1st Cir. 1998) (noting that compensatory education award incorporated college level courses); *Sabatini v. Corning-Painted Post Area Sch. Dist.*, 78 F. Supp. 2d 138, 145-47 (W.D.N.Y. 1999) (ordering placement in college as compensatory education).

Plaintiffs, with the assistance of community-based organizations familiar with the needs of disabled individuals, have compiled an initial list of service providers that are able to serve the transitional needs of class members receiving compensatory education, as well as an initial list of the types of services class members need. These lists are attached hereto as Appendices A and B. In addition, the class members may benefit from stronger

for life after school. See 20 U.S.C. §§ 1401(34), 1414(d)(1)(A)(i)(VIII)(bb).

partnerships between the DOE and other public agencies that could provide transitional services.⁴

IV. Consideration of Prompt Class Notification and Further Class Certification Issues

On September 29, 2014, Plaintiffs mailed a letter to those class members whose addresses were provided by the DOE to advise them of their entitlement to compensatory education, and provide contact information of Plaintiffs' counsel. Plaintiffs' counsel have also sought to reach out to potential class members whose names or addresses may not have been included in the list received or who may have opted out. Initial outreach efforts included speaking with members of the news media, contacting advocacy organizations, and establishing a website (www.hawaiiclassaction.com/erk). Plaintiffs intend to continue outreach efforts.

Finally, Plaintiffs do not believe further consideration of class certification is necessary or appropriate in light of the existing class

⁴ Plaintiffs note that this past summer President Obama signed into law the Workforce Innovation and Opportunity Act, P.L. 113-128. This law may increase access to workforce training of young adults with disabilities because it requires state vocational rehabilitation agencies to set aside 15% of their funding to provide transition services to youth with disabilities.

certification order, as well as this Court's order granting compensatory education to the class members.

DATED: Honolulu, Hawai`i, September 30, 2014.

/s/ Michelle N. Comeau

PAUL ALSTON

MICHELLE N. COMEAU

Attorneys for Plaintiffs

Organization	Services	website	Contact info	Location
Aaron K. Koseki, Jr.	T&C, Speech		(808) 375-0615 7192 Kalianaole Hwy, Suite A143A, #142, Honolulu, HI 96825	Oahu
Abilities Unlimited	PAB, ADH, Employment Services		(808) 532-2100 414 Kuwili Street, #103, Honolulu, HI 96817	Oahu
Advantage Health Care Provider	PAB, training for community participation and employment	http://www.advantagehealthhawaii.com	1188 Bishop St., Suite 2502 Honolulu, HI 96813 808-525-8888 (ph) 808-525-8885 (fax) nancy@advantagehealthhawaii.com	Oahu
Alaka'i Na Keiki	Behavioral health, maintains a network of private providers, work with DOE on SPED kids BISS Behavioral Instructional Sup Svcs, PAB and T&C	http://www.alakainakeiki.com/	1100 Alakea St, 9th Floor Honolulu, HI 96813 808-523-7771	Oahu and Maui (ltd)
Aloha Habilitation Services, Inc.	Personal Assistance/Habilitation, training for community participation and employment PAB, ADH, and T&C	http://alohahab.com	22 Walker Ave. Wahiawa, HI 96786 808-622-4200 (ph) info@alohahab.com	Oahu
Alternative Care Services, Inc.	Personal Assistance/Habilitation, training for community participation and employment	http://acsi.homestead.com	2153 N. King St, Suite 303 Honolulu, HI 96819 808-848-2779 (ph) Esperanza Cadavona ED ecadavona@gmail.com ecadavona@hotmail.com wcadavona@gmail.com johnnyc808@hotmail.com	Oahu and Maui
Alu Like	Only serve Native Hawaiians WIA training for employment	http://www.alulike.org	434 Onehee St. Kahului, HI 96732 808-535-6700 info@alulike.org	all islands exc. Lanai
Arc of Hilo	Education, recreational, vocational and skills training PAB, employment services	http://www.hiloarc.org/	(808) 935-8535 1099 Waianuenue Ave. Hilo, HI 96720	BI
Arc of Hilo-Pahoa	Education, recreational, vocational and skills training PAB, employment services	n/a	(808) 965-8464 (ph) Pahoa Vill(age Center Pahoa, HI 96778	BI
Arc of Kona	Job placement, employment services, career consulting, job accommodation for SSI and SSDI, PAB, ADH, Employment Services, T&C	www.arcofkona.org	81-1065 Konawaena School Road Kealakekua, HI 96750 P.O. Box 127 Kealakekua, HI 96750 808 323-2626 (ph)	BI
Arc of Maui	Rehabilitation services for independent living and employment training, PAB, ADH, T&C	http://www.arcofmaui.org/	(808) 242-5781 95 Mahalani St, Suite 17 Wailuku, HI, 96793	Maui and Lanai
Arc of Maui on Molokai	Rehabilitation services for independent living and employment training	http://www.arcofmaui.org/	(808) 553-9090 Meyer Building, Rm 5 P.O. Box 429 Kaunakakai, HI 96748	
Assistive Technology Resource Centers of Hawaii	Job placement and retention for those recommended by Division of Vocational Rehabilitation (DVR), ltd computer training, recommend technology	www.atrc.org	808-532-7110 (ph) atrc-info@atrc.org Barbara Fischlowitx-Leong	

APPENDIX A

ADH = Adult Day Health
PAB = Personal Assistance / Habilitation
T & C = Training & Consultation

Organization	Services	website	Contact info	Location
Attention Plus Care	Home health care, PAB	www.attentionplus.com	1580 Makaloa St., #1060 Honolulu, HI 96814 808-739-2811 (ph) 808-739-0169 (fax) info@attentionplus.com	Oahu
Autism Society of Hawaii	Young adult groups	www.autismsocietyofhawaii.org	autism@gmail.com	
Bayada Habilitation/ <i>Bayada Home Health Care</i>	Oahu Behavioral Health office provides Habilitation services PAB and T&C	www.bayada.com	615 Piikoi St., Suite 602 Honolulu, HI 96814 808-591-6060 (ph) Josilene Miller, Director 1221 Kilauea Ave., Suite 60 Hilo, HI 96720 808-969-9622 (ph) 808-969-9894 (fax) 65-1206 Mamalahoa Hwy., Suite 1-206 Kamuela, HI 96743 808-885-1088 (ph) 808-885-1087 (fax) 2200 Mail St., #650 Wailuku, HI 96793 808-244-4700 (ph) 808-244-7575 (fax) 3083 Akahi St. Lihue, HI 96766 808-245-9699 (ph) 808-245-5103 (fax)	Oahu, BI, Kauai, Maui
BCRC Behavioral Counseling & Research Center, LLC	aka Trumpet Academy working with autistic children to provide highly structured IEPs (don't take insurance)	http://www.tbh.com/states/hawaii/	1-855-824-5669 or 808-440-5190 for existing families	Oahu (HNL and Lee)
Best Buddies/SAAC	opportunity for socialization-has an integrated employment program in other states, but not one funded in HI	www.bestbuddieshawaii.org	808-242-6962 Michael McCormick, State Director	Maui (prgs on Oahu)
Big Island Workplace Connection	Job training, employment placement, transition services		Raymond "Kauwa" Elia (808) 981-2860 (ph) (808)981-2880 (fax) 1990 Kino'ole St Suite 102 Hilo, HI 96720 Jessica "Malia" Tamaribuchi (808) 327-4770 (ph) 74-5565 Luhia St., Bldg C Bay 4 Kailua-Kona, HI 96740 (808) 678-3661 Oahu 94-408 Akoki Street, #205 Waipahu, HI 96797	BI
Blue Water Resources	PAB		(808) 443-5112 Big Island 688 Kinoole Street, #101 Hilo, HI 96720	Oahu and BI
CARE Hawaii, Inc.	Mental health services to support learning: PAB, ADH, T&C	www.carehawaii.info	875 Waimanu St., #601 Honolulu, HI 96813 808-533-3936 (ph) 808-791-6198 (fax)	Oahu, BI, Maui, Kauai, Molokai

ADH = Adult Day Health
PAB = Personal Assistance / Habilitation
T & C = Training & Consultation

Organization	Services	website	Contact info	Location
CareResource Hawaii, Inc.	Home health care, PAB	www.careresourcehawaii.org	680 Iwilei Road, Suite 660 Honolulu, HI 96817 808-599-4999 (ph-Oahu main office) 75-167 Kalani St., #206 Kailua-Kona, HI 96740 808-326-7021 (ph) 69 Railroad Ave., #A20 Hilo, HI 96720 808-935-2718 (ph) 355 Hukilike St., #126 Kahului, HI 96732 808-871-2115 (ph) 10 North Mohala St., #201 Kaunakai, HI 96748 808-553-9851 (nh) 808-234-7142	Oahu, BI, Maui, Kauai, Molokai
Castle Community Care	Assisted Living			Oahu
Castle Personal Care	PAB		(808) 263-5078 46-001 Kamehameha Hwy, Suite 212 Kaneohe, HI 96744	Oahu
Catholic Charities Hawaii	Employment services for developmentally disabled who are medicaid eligible, PAB	www.catholiccharitieshawaii.org	1822 Keeaumoku St. Honolulu, HI 96822 808-524-4673 (ph)Oahu main campus 808-935-4673 (ph) Hawaii Island 808-873-4673 (ph) Maui Island 808-241-4673 (ph) Kauai Island	Oahu, Ma, Ka, BI
Community Ties of America	Licensing of Community Care facilities for Foster kids and adults, case management and nurse aide training	http://comties.com/hawaii.html	808-234-5380	Oahu statewide licen
Easter Seals Hawaii	Community-based services, PA/HAB, work force development, ADH, T&C	http://www.easterseals.com/hawaii/	Ewa Service Center 91-1251 Renton Road Ewa Beach, HI 96706 808-681-0747 (ph) Honolulu Service Center 200 N. Vineyard Blvd. #200-A Honolulu, HI 96817 808-949-3481 (ph) Napuakea Service Center 92-461 Makakilo Drive Kapolei, HI 96707 808-678-3754 (ph) Hilo Service Center 16-204 Melekahiwa St., #3 Keeau, HI 96749 808-961-3716	Oahu, BI, Kauai, Maui, Molokai, Lanai

ADH = Adult Day Health
PAB = Personal Assistance / Habilitation
T & C = Training & Consultation

Organization	Services	website	Contact info	Location
			Lihue Service Center 3201 Akahi St. Lihue, HI 96766 808-245-4132 Waimea Service Center 4590 Ola Road Waimea, HI 96796 808-482-3489 (ph) Kapaa Service Center 4800F Kawaihau Road Kapaa, HI 96796 808-821-6944 (ph) Maui & Lanai Na Hulu Service Center 155 South Wakea Ave. Kahului, HI 96732 808-249-2065 (ph) 808-536-1015 (ph) info@easterscaleshawaii.org	
Employment Network Hawaii	Job training, employment placement, transition services	www.employmentnetworkhawaii.com	(808) 930-6200 (ph) 16-211 Kalara St. Keaau, HI 95749	BI
Family Programs Hawaii	Programs to help children in Foster Care transition from high school to post-secondary education or vocational edu	http://familyprogramshawaii.org/	808-521-9531	Oahu, BI
Family Services of Oahu, LLC	PAD, ADH		(808) 678-3222 (ph) 94-216 Farrington Hwy, Suite A106 Waipahu, HI 96797	Oahu
Full Life	ADH, PAB, T&C, Employment Services	www.FullLifeHawaii.org	(808) 322-9333 (ph) 75-5995 Kuakini Hwy, Suite 432 Kailua-Kona, HI 96740	BI and Maui
Goodwill Industries of Hawaii, Inc.	Employment and life skills training for medicaid eligible and support for long-term employment of non-medicaid	www.higoodwill.org	Oahu 2610 Kilihau St. Honolulu, HI 96819 808-836-0313 (ph) Big Island 500 Kalaniana'ole Ave., Suite 1 Hilo, HI 96720 808-961-0307 (ph) 808-969-3861 (fax)	Oahu, BI
Hale Lana O Kahumana	ADH, PAB	www.kahumana.org	(808) 200-4732 (ph) 86-660 Lualualei Homestead Road Waianae, HI 96792	Oahu
Hale Na'au Pono	Developmentally Disabled/Intellectually Disabled Services PAB	www.wccmhc.org	86-226 Farrington Hwy. Waianae, HI 96792 808-696-4211 (ph) 808-696-5516 (fax) webmaster@wccmhc.org	Oahu

ADH = Adult Day Health
 PAB = Personal Assistance / Habilitation
 T & C = Training & Consultation

Organization	Services	website	Contact info	Location
Hale Nui Community Center	PAD, ADH		(808) 637-2646 (ph) P.O. Box 1160 Waialua, HI 96791	Oahu
Hawaii Behavioral Health	Skills training for Autism Spectrum Disorder, functional skills training,behaviorial instructional services, PAB, employment services, T&C	www.hibh.org	210 Ward Ave., #219B Honolulu, HI 96814 808-585-1424 (ph) 808-585-0379 (fax) oahu@hibh.org 270 Waiehu Beach Rd., #110A Wailuku, HI 96793 808-242-7294 (ph) 808-242-7296 (fax) 234 Waianuenu Ave., #215 Hilo, HI 96720 808-935-7949 (ph) 808-935-5996 (fax) 3-3122 Kuhio Hwy., #A-15 Lihue, HI 96766 808-246-9102 (ph) 808-246-8609 (fax) (808) 680-0103	Oahu, BI, Kauai, Maui
Hawaii Health Services	ADH, PAB		94-422 Uke'e Street, Bay 1 Waipahu, HI 96797 (808) 531-8010 (ph)	Oahu
Hawaii Nursing Solutions, Inc	PAB, T&C, Community activites, social skills		1188 Bishop Street, Suite 2004 Honolulu, HI 96813	Oahu, Kauai
Health Resources, Inc.	Home care provider	none	808-593-8700 (ph) 808-593-8701 (fax) hr@healthresources-hi.com	Oahu, Maui, BI
Heaven's Helpers, Inc.	Independent living support activities, ADH, PAB, T&C	http://heavenshelpershawaii.com	P.O. Box 25987 Honolulu, HI 96825 808-952-6898 (ph) 808-952-6878 (fax) 808-330-5610 (emergency pager) info@heaven'shelpershawaii.com	Oahu
Home and Community Services of Hawaii, Inc.	ADH, PAB		(808)454-0511 94-830 Hikimoe St, Waipahu, HI 96797	Oahu
Ho'oheno, Inc.	PAB		(808) 338-2443 Kauai P.O. Box 713 Eleele, HI 96705 (808) 214-4010 Maui 225 Muliwai Dr. Wailuku, HI 96793	Kauai and Maui

ADH = Adult Day Health
PAB = Personal Assistance / Habilitation
T & C = Training & Consultation

Organization	Services	website	Contact info	Location
Horizons Academy of Maui	PAB, T&C		(808) 575-2654 (ph) P.O. Box 171 Kihei, HI 96753	Maui
Imua Community Services, LLC	PAB		(808) 864-2714 (ph) P.O. Box 1165 Mountain View, HI 96771	Oahu and BI
Island Network Personnel, Inc.	Job training, employment placement, transition services		(808)944-5544 (ph) 1600 Kapiolani Blvd, #514 Honolulu, HI 96814	Oahu
Ka Lima O Maui	Independent living skills, employment training and placement ADH	http://www.kalimaomaui.org/index.php	(808) 244-5502 95 Mahalani Street Suite 19B Wailuku, HI 96793	Maui
Kama'aina Health Services	Home health care, PAB		808-422-2802 (ph) 1014 Maluna St. Honolulu, HI 96818	Oahu, Kauai, BI
Kokua Nurses	Homecare and home health PAB	http://kokuanurses.com	808-594-2326 (ph - Oahu) 808-592-1248 (fax - Oahu) 1210 Artesian St. Honolulu, HI 96826	Oahu, BI
Kokua Psychological Services	Day training for developmentally disabled, independent living training and support T&C	none	808-754-8707 (ph) 1160 Kalakaua Ave., Apt. 104 Honolulu, HI 96826 Alyssa Arakaki - Principal	Statewide - Oahu, BI, Kauai, Maui, Molokai, Lanai
Kokua Villa (Waianae)	Adult Day Care Center, ADH, PAB, T&C	none	808-696-7000 (ph) 86-080 Farrington Hwy. Waianae, HI 96792	Oahu, Maui
La'a Kea Farm	PAB, ADH	http://laakea.org	(808) 281-3463 P.O. Box 790994 Paia, HI 96779	Maui
Lanakila Pacific/Lanakila Rehabilitation Center, Inc.	Job training and placement, PAB, ADH	https://www.lanakilapacific.org	808-531-0555 (ph) 1809 Bachelot St. Honolulu, HI 96817 cr@lanakilapacific.org	Oahu
Learning Disabilities Association of Hawaii	Provide training for parents and educators, maintain a list of providers	http://www.ldahawaii.org	808-536-9684 (ph - Honolulu) 808-537-6780 (fax - Honolulu) 245 N. Kukui St., Suite 205 Honolulu, HI 96817 808-696-5361 (ph - Waianae) 808-696-5371 (fax - Waianae) 85-993 Farrington Hwy., Suite 203 Waianae, HI 96792	Oahu
Manawa Lea Health Services, Inc.	Independent living skills and transportation to and from facility, DDMedicaid Waiver Services , Medicaid Waiver Service PANS (Nursing and attendant care) PAB ADH	http://www.manawalea.com	808-456-5608 (ph - info) 808-484-5635 (ph) 808-484-5636 (fax) 94-673 Kupuohi St., Suite C108 Waipahu, HI 96797	Oahu

ADH = Adult Day Health
PAB = Personal Assistance / Habilitation
T & C = Training & Consultation

Organization	Services	website	Contact info	Location
<i>Mastercare, Inc.</i>	Home health care, companion care, PAB, T&C	http://www.gomastercare.com	808-597-1564 (ph) 808-597-1565 (fax) 1314 S. King St., Suite 410 Honolulu, HI 96814 808-244-0500 (ph) 808-244-0557 (fax) 161 Ma'a St. Kahului, HI 96732 808-935-2230 (ph) 808-935-2250 (fax) 120 Pauahi St., #207 Hilo, HI 96720 808-246-9116 (ph) 808-246-9232 (fax) 3016 Umi St., #220 Lihue, HI 96766	Oahu, Maui, BI, Kauai
Metrocare Hawaii, LLC	Home healthcare and travel assistance PAB	http://www.mch2001.com	Corporate Office - Hilo 808-934-8334 (ph - Hilo) 808-933-9304 (fax - Hilo) 327 Kinoole St. Hilo, HI 96720 808-678-85 (ph - Oahu) 808-678-8388 (fax - Oahu) 94-210 Pupukani St., Suite 202 Waipahu, HI 96797 808-249-8888 (ph - Maui) 808-249-8899 (fax - Maui) 270 Hookahi St., Suite 303 Wailuku, HI 96793	Oahu, BI, Ma
Molokai Occupational Center		www.mocmolokai.com	info@mch2001.com P.O. Box 1019 Kaunakakai, HI 96748 808-553-3266	Molokai
Network Enterprises, Inc	Job training and placement for individuals referred by the State Vocational Rehabilitation and Services for the Blind, Social Security Administration, and Federal Department of Labor	www.networkenterprises.org	521-7774	Oahu

ADH = Adult Day Health
 PAB = Personal Assistance / Habilitation
 T & C = Training & Consultation

Organization	Services	website	Contact info	Location
North Shore Mental Health, Inc.	PAB, Employment Services	http://www.northshorementalhealth.com	808-638-8700 (ph) 808-638-7919 (fax) 302 California Ave., Suite 212 Wahiawa, HI 96786 nsmh@hawaii.rr.com 808-484-9359 (ph) 99-128 Aie Heights DR. Aiea, HI 96701 P.O. Box 128 Laie, HI 96762 808-638-8700 (ph) 808-638-7919 (fax) 302 California Ave., #212 Wahiawa, HI 96786 808-235-1599 (ph) 46-001 Kamehameha Hwy., #217 Kaneohe, HI 96744	Oahu
			56-117 Pualalea St. Kahuku, HI 96731 200 N. Vineyard Blvd. Honolulu, HI 96817 84-1170 Kamehameha Hwy. #A2Bf2A, Waianae, HI 96792	
Nurse Pro-Care	PAB		(808) 933-9933 Big Island 315 Kinoole Street, Hilo, HI 96720 (808) 747-3662 Maui 355 Hukilike Street, #209 Kahului, HI 96732	BI and Maui
Ohana Support Services, LLC	PAB		(808) 682-7384 91-902 Fort Weaver Road, Suite 105 Ewa Beach, HI 96706	Oahu
Opportunities and Resources, Inc. (ORI)/Helemano Plantation	Independent living skills, pre-employment training, community integration PAB,	http://www.ori-hawaii.com	808-622-3929 (ph) 808-621-8227 (fax) 64-1150 Kamehameha, Highway Wahiawa, HI 96786 helemano808@hawaii.rr.com	Oahu
Paradise Nursing Workforce, LLC	PAB	http://www.paradisenursinghi.com	808-735-5801 (ph) 808-735-5804 (fax) 4747 Lo;aiea Ave., Suite 205 Honolulu, HI 96816 info@paradisenursinghi.com	Oahu, Kauai, Maui
Preferred Home and Community Based Services, Inc.	ADH, PAB		(808) 456-0078 94-412 Maikoiko St Waipahu, HI 96797	Oahu

ADH = Adult Day Health
PAB = Personal Assistance / Habilitation
T & C = Training & Consultation

Organization	Services	website	Contact info	Location
<i>Project Laulima, System of Care Expansion Planning Grant</i>	Working on developing a system of care and plan to start offering services in January of 2015 PAB ADH	http://www.projectlaulimahawaii.org/	(808)733-8495 3627 Kilauea Ave. Honolulu, HI 96816	Oahu
Puna Kamali'i Flowers, Inc.	ADH, PAB	www.punakamaliiflowers.com	(808) 930-6200 16-211 Kalara Street Kea'au, HI 96749	BI
Responsive Caregivers of Hawaii	Home and community care services for developmentally disabled Serves age 22+ PAB, ADH	http://www.rcoh.org/	808-488-7391 98-1247 Kaahumanu St., #219B Aiea, HI 96701	Oahu
Special Education Center of Hawaii (SECOH)	Adult day health, community activities, PAB	http://www.secoh.org/	808-488-8884 708 Palekaua St. Honolulu, HI 96816 tribellia@secoh.org	Oahu (5 locations)
Special Olympics	Physical fitness opportunities	http://www.specialolympicshawaii.org/home.html	(808) 943-8808 P.O. Box 3295 Honolulu, HI 96801	statewide
The Arc in Hawaii	Works with people with intellectual disabilities to provide adult day health services, employment services (Medicaid waiver only), residential services (for medicaid waiver only),	http://thearcinhawaii.org/	3989 Diamond Head Rd Honolulu, HI 96816 (808) 737-7995	Oahu
The Brantley Center	Rehabilitation services for independent living and employment training, ADH	http://thebrantleycenter.org/	(808) 775-7245 45-370 Ohelo St Honokaa, HI 96727	BI
The Institute for Family Enrichment (TIFFE)	Currently provides services within the DOE	http://www.tiffe.org/	(808) 596-8433 91-1814 Fort Weaver Road Ewa Beach, Hawaii 96706	statewide
<i>United Cerebral Palsy Association of Hawaii</i>	Care coordination with social workers	www.ucpahi.org	808-532-6747 414 Kuwili Street, Suite 105 Honolulu, HI 96817	Oahu
Wilson Homecare	Homecare services	http://wilsoncare.com/	(808) 518-3123 1221 Kapiolani Blvd #940 Honolulu, HI 96814	Oahu
WorkSourceMaui	Job training, employment placement, transition services		(808) 984-2091 2064 Wells St Suite 108 Wailuku, HI 96793 (808) 553-1755 55 Makaena Pl, Rm 4 Kaunakakai, HI 96748 (808) 984-2091 Lanai	Maui, Molokai, Lanai

ADH = Adult Day Health
PAB = Personal Assistance / Habilitation
T & C = Training & Consultation

TRANSITION SERVICES REQUIREMENTS FOR STUDENTS TO REACH THEIR POST-SECONDARY GOALS¹

Post-Secondary Education/Training

Application/Enrollment Skills

- Identification and practice in test-taking accommodations
- Filling out school applications
- Choosing a curriculum
- Finding financial aid

Securing Accommodations

- Awareness of disability-strengths and needs
- Determining levels of support/accommodations

Organizational/Study Skills

- Time management
- Test preparation
- Note-taking

Employment Skills

Pre-Vocational Training

- Resume writing
- Interviewing skills
- Transportation training

Job Seeking Skills

- Job application completion
- Call back and follow through
- Finding jobs using technology and media

Self-Management on the Job

- Following instructions
- Asking for assistance
- Timeliness

Occupation Specific Employment Skills

- Community college, certification programs
- Site specific internships

¹ Developed with assistance from the Coalition for Children with Special Needs.

Job-Related Social/Communication Skills

- Employment communication skills
- Work site social skills

Job related technology skills

- Work specific technology
- Self-management and instructional technology

INDEPENDENT LIVING/COMMUNITY PARTICIPATION

Leisure Skills

- Choice making in leisure skills
- Leisure skills (bowling, pinball)
- Leisure game skills

Social Skills

- Social communication skills at lunch and dinner
- Communication skills (situation specific based on environmental scan)
- Game related social skills
- Everyday conversational skills
- Participation in community events (church, sports, movies, etc)

Self-Determination Skills

- Self-determination component skills
- Self-knowledge, communication, life skills, and goal setting

Choice Making

- Choice making in leisure skills
- Choice making and turn-taking

Decision Making - Goal Setting

- Decision making and goal setting

Problem Solving

- Problem solving to complete an independent living task

Self-Advocacy Skills

- Social competence
- Meeting participation using self-advocacy strategy

Independent Living Skills

- Paying attention to the environment
- Following a schedule

Money Management (Banking & Purchasing)

- Withdrawing money from an ATM
- Cashing checks
- Budgeting and banking skills
- Purchasing using a debit card
- Purchasing using cash
- Purchasing skills across community settings
- Understanding invoices and bills

Shopping (Specific Purchasing Skill)

- Shopping list preparation
- Locating and purchasing items
- Selecting lower priced grocery items (comparative shopping)

Home Maintenance Skills

- Home maintenance (sweeping and table washing)
- Housekeeping skills (cleaning and laundry)
- Laundromat skills
- Housekeeping skills (housekeeping and janitorial)

Meal Planning and Preparing

- Meal planning and nutrition
- Preparing a snack & drink
- Cooking skills

Restaurant Skills

- Ordering in a restaurant
- Paying in a restaurant and calculating tips

Safety Skills

- Public telephone usage (cellphone usage)
- Crossing the street
- Cell phone usage when lost
- Teach students first-aid skills for treating a minor cut
- Response to potentially dangerous situations (i.e., removing and discarding broken materials safely)
- Warning labels
- Emergency fire-safety skills
- Emergency preparedness

Self-Care Skills

- Teaching dressing skills
- Preventing home accidents
- Working with health care providers (dentist, doctors, etc.)

Mobility Skills

- Public transportation
- Taxi
- Driving
- Pedestrian
- Getting and giving directions
- Air travel

Functional Reading Skills

- Accessing information via newsprint and on line

Functional Math Skills

- Dealing with money
- Job specific skills

Basic technology skills

- Phones, tablets, computers
- Search
- Basic operation

Community agency participation

- Enrollment and participation in various public and private adult service agencies

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the date and method of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served electronically through CM/ECF on September 30, 2014:

Adam T. Snow, Esq.	Adam.T.Snow@hawaii.gov
Gary S. Suganuma, Esq.	Gary.S.Suganuma@hawaii.gov
Holly T. Shikada, Esq.	Holly.T.Shikada@hawaii.gov
Carter K. Siu, Esq.	Carter.K.Siu@hawaii.gov

Attorneys for Defendant
DEPARTMENT OF EDUCATION

DATED: Honolulu, Hawai`i, September 30, 2014.

 /s/ Michelle N. Comeau
PAUL ALSTON
MICHELLE N. COMEAU
Attorneys for Plaintiffs

DONNA AHUNA - Activity in Case 1:10-cv-00436-SOM-KSC P.-K. et al v. Department of Education, State of Hawai'i Status Report

From: <hid_resp@hid.uscourts.gov>
To: <hawaii_cmecf@hid.uscourts.gov>
Date: 9/30/2014 6:01 PM
Subject: Activity in Case 1:10-cv-00436-SOM-KSC P.-K. et al v. Department of Education, State of Hawai'i Status Report
BC: DONNA AHUNA

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

District of Hawaii

Notice of Electronic Filing

The following transaction was entered by Comeau, Michelle on 9/30/2014 at 6:01 PM HST and filed on 9/30/2014

Case Name: P.-K. et al v. Department of Education, State of Hawai'i

Case Number: [1:10-cv-00436-SOM-KSC](#)

Filer: M. D.
R. T. D.
Hawaii Disability Rights Center
E.R. K.

Document Number: [195](#)

Docket Text:

STATUS REPORT re: *Compensatory Education* by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # (1) Appendix A - List of Service Providers, # (2) Appendix B - List of Types of Services, # (3) Certificate of Service) (Comeau, Michelle)

1:10-cv-00436-SOM-KSC Notice has been electronically mailed to:

Adam T. Snow Adam.T.Snow@hawaii.gov, Gina.M.Lum@hawaii.gov,
Holly.T.Shikada@hawaii.gov, Kari.K.Noborikawa@hawaii.gov, Richlynn.C.Kong@hawaii.gov,

Yvette.K.Achong@hawaii.gov, Zandra.S.Yamamoto@hawaii.gov

Carter K. Siu Carter.K.Siu@hawaii.gov, carter.siu@gmail.com, Gina.M.Lum@hawaii.gov,
Holly.T.Shikada@hawaii.gov, Kari.K.Noborikawa@hawaii.gov, Richlynn.C.Kong@hawaii.gov,
Yvette.K.Achong@hawaii.gov, Zandra.S.Yamamoto@hawaii.gov

Claire Wong Black cblack@ahfi.com, bkawagoe@ahfi.com, notice@ahfi.com

Gary S. Sukanuma Gary.S.Sukanuma@hawaii.gov, Gina.M.Lum@hawaii.gov,
Holly.T.Shikada@hawaii.gov, Kari.K.Noborikawa@hawaii.gov, Richlynn.C.Kong@hawaii.gov,
Yvette.K.Achong@hawaii.gov, Zandra.S.Yamamoto@hawaii.gov

Harvey E. Henderson , Jr harvey.e.hendersonjr@hawaii.gov, derick.y.ikemoto@hawaii.gov

Holly T. Shikada holly.t.shikada@hawaii.gov, Cheryl.H.Oeda@hawaii.gov

Jason H. Kim jkim@schneiderwallace.com, mail@schneiderwallace.com

Jennifer Visitacion Patricio jpatricio@hawaiiisabilityrights.org, mike@hawaiiisabilityrights.org

Louis Erteschik louis@hawaiiisabilityrights.org, mike@hawaiiisabilityrights.org

Matthew C. Bassett mattbassettesq@gmail.com, mike@hawaiiisabilityrights.org

Michelle N. Comeau mcomeau@ahfi.com, dka@ahfi.com, notice@ahfi.com

Paul Alston palston@ahfi.com, notice@ahfi.com, rjcp@ahfi.com

Steve K. Miyasaka steve.k.miyasaka@hawaii.gov, gina.m.lum@hawaii.gov,
holly.t.shikada@hawaii.gov, Kari.K.Noborikawa@hawaii.gov, richlynn.C.kong@hawaii.gov,
Yvette.K.Achong@hawaii.gov, Zandra.S.Yamamoto@hawaii.gov

1:10-cv-00436-SOM-KSC Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=[1095854936](#) [Date=9/30/2014] [FileNumber=1787982-0
] [31eeeb8794665d23fd7bd71d7ae72deb4438ac129336ac68ba77ba332eb72066581
2a06dca7fef5322f91cde35b410310169abaf182eb660beb292777127a50e]]

Document description:Appendix A - List of Service Providers

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=[1095854936](#) [Date=9/30/2014] [FileNumber=1787982-1
] [0ef0edfb554468d5abc5604aee9d051ec7c289f3c2126b443e8ad4b2f0d93f16d0b
d8a22414e72520a6c8d8011cc68940b6f3b8e51f5d1c78b4c907a649b9d6a]]

Document description:Appendix B - List of Types of Services

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=[1095854936](#) [Date=9/30/2014] [FileNumber=1787982-2]
] [57bfc31f1b3a6363ad19009a79ed7ee09dfacefb2810f0485a8d99bc9b1bac12e19
bf8475764bee5915242b1a55e479fdfe780a63e4322a786728b04fc49c30a]]

Document description:Certificate of Service

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=[1095854936](#) [Date=9/30/2014] [FileNumber=1787982-3]
] [6570bcc45d7815cc677b77c7f43e625d705d26b606600114c1ebd5af4445f4b5cc3
fde71175f9f5001425d5ef27286e8ab7add5b101ef840b266698d276beb89]]