

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 98
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Education, to which was referred S.B. No. 98 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to repeal the transfer of public health nurses who supervise school health aides from the Department of Health to the Department of Education.

This measure also repeals the School Health Services Program from chapter 321, Hawaii Revised Statutes, and establishes a new program under the Department of Education, chapter 302A, Hawaii Revised Statutes.

Testimony in support of this measure was submitted by the Department of Education, the Department of Health, and sixteen individuals. Testimony in opposition of this measure was submitted by the Hawaii Government Employees Association and four individuals.

Your Committee finds that pursuant to Act 51, Session Laws of Hawaii 2004, as amended, the Department of Education was established as a separate jurisdiction within the State. Accordingly, the transfer of authority and personnel to the Department of Education, which included Public Health Nurse and School Health Aide positions from the Department of Health, was accomplished. Your Committee understands that the aforementioned transfer was intended to provide a coordinated school health



services program within the Department of Education; however, concerns have arisen regarding problems associated with the transfer of Public Health Nurse positions, as well as the security of existing School Health Aide positions upon transfer to the Department of Education.

Your Committee further finds that the Departments of Health and Education have executed a Memorandum of Understanding that will allow Public Health Nurses who supervise School Health Aides to remain within the Department of Health while providing clinical supervision to the Department of Education's School Health Aides. Your Committee believes that maintaining the status quo with regard to the Public Health Nurse positions will provide a more efficient use of personnel and resources.

However, under the weighted student formula, the concern exists as to whether all existing School Health Aide positions will survive. Your Committee finds that these employees are concerned for their livelihood and the situation does not reveal what will ultimately happen to each of these employees. Therefore, your Committee determines that this measure should provide a means by which School Health Aides can be trained and educated to serve in other positions within the Department of Education, if necessary and appropriate.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Department of Education to provide career pathways development and training opportunities for School Health Aides in the School Health Services field and other fields within the Department of Education to ensure the opportunity for continued employment with the Department of Education; and
- (2) Making technical, nonsubstantive changes for purposes of clarity and to reflect preferred drafting style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 98, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 98, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Education,

Norman Sakamoto

NORMAN SAKAMOTO, Chair



