

STAND. COM. REP. NO.

91

Honolulu, Hawaii

FEB 09 2007

RE: S.B. No. 1095  
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. 1095 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to ensure that state child  
serving agencies maintain a high quality of service.

The measure accomplishes this purpose by establishing quality  
assurance committees at various levels within the Department of  
Education to address policies impacting the delivery of services  
by state child serving agencies and to provide opportunities for  
community input and feedback.

Testimony in support of this measure was submitted by the  
Department of Education, the Department of Health, the State  
Council on Developmental Disabilities, and the Special Education  
Advisory Council. Testimony in opposition to the measure was  
submitted by one individual. Comments on the measure were  
submitted by the Hawaii State Teachers Association and the Office  
of Information Practices.

Your Committee finds that ensuring the delivery of quality  
services by state child serving agencies is necessary in caring  
for our children and in fulfilling the State's obligation under  
the Felix Consent Decree. Your Committee further finds that  
efforts to establish a statewide quality assurance system to  
monitor the performance and efficacy of services provided to

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children by state child serving agencies have been undertaken by the Departments of Education and Health. Furthermore, testimony indicates that efforts to develop a Memorandum of Agreement among state child serving agencies may negate the necessity of the establishment of multiple quality assurance committees as provided under this measure.

However, your Committee believes that the Legislature should remain committed to ensuring that quality services are being provided to our children and determines that an ombudsman with knowledge of the system and the services available would be beneficial to stakeholders in resolving problems and assuring the delivery of appropriate services. An ombudsman would be of great service to stakeholders and provide further assurances regarding the quality of services being provided within the State.

Accordingly, your Committee has amended this measure by:


- (1) Removing its contents, which created quality assurance committees at the school, complex, district, and state levels;
- (2) Deleting the appropriation for support staff for the state quality assurance committee;
- (3) Including an appropriation for one full-time equivalent ombudsman position for each school district to assure the delivery of quality services by state child serving agencies; and
- (4) Specifying that each ombudsman shall:
  - (A) Assist families in ensuring that their children are receiving state services that meet the needs of each child by helping to monitor the performance and effectiveness of the services being provided;
  - (B) Address questions and concerns of stakeholders and other interested parties with regard to the delivery of services by state child serving agencies;
  - (C) Investigate complaints from stakeholders or other members of the public against a department or child serving agency, or other organization;



- (D) Work to resolve individual issues through problem solving with stakeholders; and
- (E) Help to identify issues or policies within the system and develop solutions for implementation within the Department of Education.

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. 1095, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1095, S.D. 1, and be referred to the Committee on Ways and Means.

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

  
\_\_\_\_\_  
NORMAN SAKAMOTO, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Education**  
**EDU**

Bill / Resolution No.:* <i>SB 1095</i>	Committee Referral: <i>EDU, WAM</i>	Date: <i>02/02/07</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAKAMOTO, Norman (C)	X			
TOKUDA, Jill N. (VC)	X			
CHUN OAKLAND, Suzanne				X
HEE, Clayton	X			
NISHIHARA, Clarence K.				X
TANIGUCHI, Brian T.				X
GABBARD, Mike	X			
<b>TOTAL</b>	<i>4</i>			<i>3</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Jill N. Tokuda</div>				
Distribution:                              Original                              Yellow                              Pink File with Committee Report            Clerk's Office                        Drafting Agency				

\*Only one measure per Record of Votes