

**SB 2349, SD1**

Date of Hearing: February 24, 2010  
Committee: Senate Committee on Ways and Means

Person testifying: Neal Takamori, President  
ADCA (Athletic Directors and Coaches Association of Hawaii)

Testimony on SB 2349

On behalf of the Athletic Directors and Coaches Association of Hawaii (ADCA), we are opposed SB 2349.

There are many concerns that are not addressed in the bill that will create tremendous conflicts and problems if not addressed. The following are some of the concerns.

1. **Philosophy:** When parents choose to home school their children, are they not making a conscious choice to opt out of the public education experience, which includes extra curricular activities of which athletics are a part of, and provide their children with an alternative academic program? Isn't the participation in athletics a privilege and not a right as established in many court cases around the nation?
2. **Funding:** Public Schools are funded by the Student Weighted Formula. What will be the formula for funding athletics for home schoolers? How will it be determined? Currently, allocation to the DOE is based on per pupil enrollment in schools. Will schools get additional funding? What about the class dues students are required to pay that support extra curricular activities or the costs of participation of a student in a single sport?
3. **Eligibility:** Public school students must abide by the 2.0 GPA rule and other DOE and School standards, rules, and policies. Who will monitor the Home School and the child? Are we creating a double standard with home schooled children as opposed to public schooled children? (example: a child is failing all his courses which renders him ineligible to participate in athletics and extra-curricular activities. The parents decide to home school him to enable him to participate, because under their grading, he can receive all passing grades.) We can foresee a multitude of potential abuses. In Florida, entire golf and tennis teams were comprised of home-schoolers.  
Establishing years of participation would be a problem (National Federation rules is 4 consecutive years from entering the 9<sup>th</sup> grade). We can verify the records of a student in public school but will have problems of accountability in verifying home schoolers.
4. **DOE Standards, Rules, and Policies:** Who monitors this? A public school environment is more accountable for consistency and fairness for all students. The DOE does not accept credits from Home Schoolers. I believe largely due to the lack of accountability with academic standards.
5. We have State transfer rules. Who will monitor this rule: example... if a home schooler participated at another school?
6. There are many other scenarios that concern the athletic directors across the State, including athletic directors from the private schools that do not allow home schoolers to participate at their schools. A major concern against this bill is the opportunity for illegal recruitment.
7. In addition, there are numerous community leagues and activities that home schoolers can participate in.

8. Special Notes: This Legislature is currently evaluating some bills addressing:

- a. consistent curricula and assessment (SB 2567)
- b. “highly qualified teachers” to teach students
- c. Financial accountability

Committee on Ways and Means

Senator Donna Mercado Kim, Chair  
Senator Shan S. Tsutsui, Vice Chair

Hearing: 10:00a, Wednesday, 24 February 2010

In Opposition to  
**SB 2349, SD1 (SSCR2144): Relating to Extracurricular Activities**

Testimony submitted by Mr. Meredith Maeda, Principal, James B. Castle High School

I would like to state my strong opposition to SB 2349, SD1. There are several reasons that this measure should not be passed:

1. **Beliefs:** Historically and presently, there is a major philosophical difference in students who are home schooled and the public school attendees. Parents chose to provide the education best fit for their children that was other than that for the general population. This was a conscious choice to exclude their child from the public school environment and we have honored their decision over the years to facilitate that exception from compulsory school attendance.
2. **Eligibility:** Participation in co-curricular activities by a public school attendee requires meeting prerequisites before and during the period of the activity—course and grade requirements based on the Hawaii Content and Performance Standards, obligation-free, behavioral expectations according to Chapter 19, and in certain activities to ensure fair competition, residency requirements. There is no fair, unbiased, and equivalent method of gathering information to determine or monitor the eligibility of a home-schooled child.

Home-schooled students have many opportunities to participate in voluntary community activities that do not require external controls and monitoring, other than those that are self imposed, for children from elementary through high school—Honolulu Youth Symphony, Theatre for Youth, Little/Big League baseball and softball, football, year round clubs for volleyball, basketball, soccer, swimming, track and field, and bowling, USTA for tennis, Junior Golf, online advanced courses, and many more.

3. **Resources:** Schools are allocated general funds to secure the necessary resources to operate school activities by the Weighted Student Formula and vary from school to school depending on their characteristics. These funds are based on only those students that enroll and attend the school from the official enrollment count date in August. Schools must secure supplemental finances in order to operate programs that are not adequately funded by the system. Additionally, students attending public school have mandatory dues to support their class activities and in most cases must fund-raise for their class or specific activity to minimize their expenses. There is no viable fee structure and accounting system for non-attendees that would be fair and equitable without additional resources and/or strain on school personnel to monitor and hold participants accountable.

We all pay taxes for government services. But, we do not choose what our individual payments support. If we were to calculate which portion of our individual taxes pays for public education, the figures would be insignificant. It is our collective funds that you as decision makers determine to which service has the priority. Therefore, the task at the individual school to calculate how much home-schooled children should pay to participate in any one activity is analogous and would be enormous.

There would be major negative impact on public schools, a strain on our limited resources and funds, and inequitable requirements for our attending students, should this bill pass. Thank you for allowing me to submit my input.

**From:** [Joseph\\_Balangitao/MAUIDO/HIDOE@notes.k12.hi.us](mailto:Joseph_Balangitao/MAUIDO/HIDOE@notes.k12.hi.us)  
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**Subject:** SB 2349 Relating to Extracurricular Activities  
**Date:** Monday, February 22, 2010 4:15:34 PM

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**SB 2349.** RELATING TO EXTRACURRICULAR ACTIVITIES.

**SD1** Allows home-schooled students to participate on an equal basis in extracurricular activities offered at the public school they would otherwise be required to attend if they meet certain requirements.

**(SSCR2144)** Requires DOE to consult with the Athletic Directors and Coaches Association of Hawaii during its rule-making process. Takes effect 7/1/2050. (SD1)

Testimony

Status

My name is Joe Balangitao Jr.. I am the Executive Director of the Maui Interscholastic League. I urge you to vote against SB 2349 for the following reasons: they pay no participation fees, the parents give them a grade for their grade check, public schools require highly qualified teachers to teach; parents may not be highly qualified to teach, animosity created between regular students and home school students who may take a spot on the team without attending the school. Last but not least not equal playing field. Home school students were allowed to testify before the Senate and regular students were not allowed to because they had to be in school. Mahalo for your consideration.

**From:** [Catherine Bratt/KOHALAHI/HIDOE@notes.k12.hi.us](mailto:Catherine_Bratt/KOHALAHI/HIDOE@notes.k12.hi.us)  
**To:** [WAM Testimony](#)  
**Subject:** SB2349SD1  
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I am writing to voice my objections to this bill (SB2349D1) which allows home school students to participate in extra curricular activities of their home school.

1. When the home school policy/law was established some 15 to 20 years ago, proponents of the policy understood that they would have control over their child's total education and by turn, they gave up their rights to "cherry pick" those parts of the school program that they wanted to participate in, in particular athletics. That was the agreement. The break was clean and defined, because one of the major concerns of the schools was how to organize and pay for programs that parents wanted some participation in and nonparticipation in others. How to establish a fair and equitable partial participation was deemed too complicated. Who would pay for partial participation in school and/or athletics? Since this was the conundrum, it was made simple by making a clean break--all or nothing. This bill would significantly muddy the waters and complicate a situation that is already too complicated.

2. It is impossible to determine if home schooled students meet the academic or social measures that are required of public school athletic participants. There is no way to monitor "grades" in the home school setting. The school has no way of monitoring the behavior and personal responsibility of home schooled students in the same manner that public school students are held accountable. If they cannot be held to the same standards, it is not equitable.