

Honolulu, Hawaii

February 12, 2016

RE: H.B. No. 868
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 868 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure, as received by your Committee, is to:

- (1) Require the Board of Education to annually re-establish statewide performance standards and the means to assess the standards based upon multiple forms of assessment that do not require extensive standardized testing and from which students and their parents may opt-out; and
- (2) Repeal current statutory requirements for assessment of public school students' achievement through testing on performance standards developed by the Commission for Performance Standards pursuant to Act 334, Session Laws of Hawaii 1991.

For the purposes of a public hearing on this bill, your Committee circulated a Proposed H.B. No. 868, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the proposal, which allows certain individuals to engage in the practice of behavior analysis in a public education setting, provided that the individual shall not use any title or description that states or implies that the individual is a



"licensed behavior analyst" or "behavior analyst" if the individual does not hold the required license.

The Department of Education and a concerned individual supported the Proposed Draft. The Special Education Advisory Council supported the intent of the Proposed Draft. Horizons Academy of Maui, Hawaii Association for Behavior Analysis, and numerous concerned individuals opposed the Proposed Draft. The Department of Commerce and Consumer Affairs and Hawaii Disability Rights Center offered comments on the Proposed Draft.

Your Committee considered the merits of H.B. No. 868, as received by your Committee, and the Proposed Draft, and upon careful consideration, adopted the Proposed Draft.

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 H.B. No. 868, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 868, H.D. 1, and be referred to your Committees on Health and Consumer Protection & Commerce.

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



ROY M. TAKUMI, Chair



