

STAND. COM. REP. NO. 2721

Honolulu, Hawaii

MAR 04 2016

RE: S.B. No. 2611
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2611 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to promote compliance with statutes prohibiting or limiting the use of various forms of punishment and restraints in public schools.

Specifically, this measure:

- (1) Requires the Department of Education to submit a report on the progress toward implementing sections 302A-1141 (prohibiting physical punishment), 302A-1141.3 (prohibiting the use of seclusion, chemical restraints, and mechanical restraints), and 302A-1141.4 (limiting the use of physical restraints and establishing related department requirements), Hawaii Revised Statutes; and
- (2) Appropriates \$460,000 to provide training and data accountability to assist with the effective implementation of sections 302A-1141, 302A-1141.3, and 302A-1141.4, Hawaii Revised Statutes, and requires a report on the expenditure of those funds.

Your Committee received written comments in support of this measure from the Department of Education and the State Council on Developmental Disabilities.

SB2611 SD1 SSCR LRB 16-1582-1.doc



Your Committee finds that in 2014, the Legislature established various prohibitions, restrictions, and guidelines regarding restraint and seclusion, including annual training and data collection, now codified as sections 302A-1141, 302A-1141.3, and 302A-1141.4, Hawaii Revised Statutes. However, the Department of Education lacks sufficient funds to comply with the annual training and data collection requirements. Your Committee further finds that the funds appropriated by this measure will assist the department in providing the annual training to personnel and providing data accountability to comply with statutory mandates.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated from \$460,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2611, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2611, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

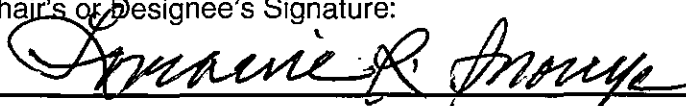


JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* <i>SB 2611</i>	Committee Referral: <i>EDU / SOL, WAM</i>	Date: <i>2/26/2016</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
TOKUDA, Jill N. (C)	✓			
DELA CRUZ, Donovan M. (VC)				✓
CHUN OAKLAND, Suzanne	✓			
ENGLISH, J. Kalani				✓
GALUTERIA, Brickwood				✓
HARIMOTO, Breene				✓
INOUYE, Lorraine R.	✓			
RIVIERE, Gil	✓			
TANIGUCHI, Brian T.				✓
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	<i>6</i>			<i>5</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes