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GOVERNOR



KATHRYN S. MATAYOSHI  
SUPERINTENDENT

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 02/05/2016  
**Time:** 02:00 PM  
**Location:** 309  
**Committee:** House Education

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Bill:** HB 1814 RELATING TO EDUCATION.

**Purpose of Bill:** Appropriates funds to provide training and track data on public school pupil punishment and use of restraints restrictions established by Act 206, Session Laws of Hawaii 2014. Requires report. Appropriates funds.

**Department's Position:**

The Department of Education supports HB 1814 provided that its passage does not replace or adversely impact priorities in our Executive Budget. Should this measure pass, funding will support the Department's implementation of Act. 206, Session Laws of Hawaii 2014.

Thank you for this opportunity to provide testimony on this measure.



**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
919 ALA MOANA BOULEVARD, ROOM 113  
HONOLULU, HAWAII 96814  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
February 5, 2016

The Honorable Roy M. Takumi, Chair  
House Committee on Education  
Twenty-Eighth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Representative Takumi and Members of the Committee:

**SUBJECT: HB 1814 - Relating to Education**

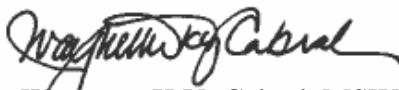
The State Council on Developmental Disabilities **SUPPORTS HB 1814**. The bill appropriates funds to provide training and track data on public school pupil punishment and use of restraints restrictions established by Act 206, Session Laws of Hawaii 2014.

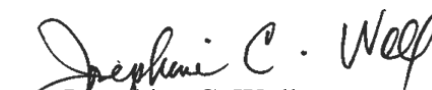
The implementation of Act 206 – Relating to Restraints and Seclusion in Hawaii Public Schools requires school personnel to be properly trained in the use of physical restraints, non-violent crisis intervention, and how to develop and maintain a data base in order to document all incidents involving the use of restraints. HB 1814 will fund one full-time equivalent position (1.0 FTE) 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, as outlined in Sections 1 and 2 of the bill.

Act 206, Session Laws of Hawaii 2014, requires an appropriation in order to be implemented. Our understanding is that the Department of Education (DOE) does not have the funds in its budget to carry out the requirements of Act 206. The passage of HB 1814 would provide the means necessary for DOE to properly train school personnel, and provide data accountability.

Thank you for the opportunity to submit testimony **supporting HB 1814**.

Sincerely,

  
Waynette K.Y. Cabral, MSW  
Executive Administrator

  
Josephine C. Woll  
Chair



**S E A C**  
**Special Education Advisory Council**

**919 Ala Moana Blvd., Room 101**

**Honolulu, HI 96814**

**Phone: 586-8126 Fax: 586-8129**

**email: [spin@doh.hawaii.gov](mailto:spin@doh.hawaii.gov)**

February 5, 2016

**Special Education  
Advisory Council**

Ms. Martha Guinan, *Chair*

Ms. Brendelyn Ancheta

Dr. Tammy Bopp

Dr. Robert Campbell, *liaison  
to the military*

Ms. Deborah Cheeseman

Ms. Annette Cooper

Ms. Shari Dela Cuadra-Larsen,  
*liaison to the Superintendent*

Ms. Gabriele Finn

Mr. Sage Goto

Ms. Valerie Johnson

Ms. Deborah Kobayakawa

Ms. Bernadette Lane

Ms. Dale Matsuura

Ms. Stacey Oshio

Ms. Zaidarene Place

Ms. Barbara Pretty

Ms. Kau'i Rezentos

Ms. Rosie Rowe

Dr. Patricia Sheehey

Ms. Ivalee Sinclair

Mr. Tom Smith

Ms. Lani Solomona

Dr. Todd Takahashi

Dr. Daniel Ulrich

Dr. Amy Wiech

Ms. Jasmine Williams

Ms. Susan Wood

Amanda Kaahanui, Staff  
Susan Rocco, Staff

Representative Roy M. Takumi, Chair  
House Committee on Education  
State Capitol  
Honolulu, HI 96813

RE: HB 1814 - Relating to Education

Dear Chair Takumi and Members of the Committee,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **strongly supports** HB 1814 that appropriates funds to train school personnel in the proper use of physical restraints as well as non-violent crisis intervention and to develop and maintain a database to document all incidents involving the use of restraints.

HB 1814 will also fund one full-time equivalent position to oversee the provision of training and data collection, and to complete the reporting requirements outlined in Section 1 of the bill. This appropriation is vital to the implementation of Act 206 - Relating to Restraints and Seclusion in Hawaii Public Schools. There is currently no money in the Department of Education's budget for these activities.

Thank you for the opportunity to provide testimony on this important legislation. If you have questions or concerns, please contact me.

Respectfully,

Martha Guinan  
Chair



COMMUNITY CHILDREN'S COUNCIL OF HAWAII  
1177 Alakea Street · B-100 · Honolulu · HI · 96813  
TEL: (808) 586-5363 · TOLL FREE: 1-800-437-8641 · FAX: (808) 586-5366

February 4, 2016

TO: Committee on Education – State Capitol

RE: **HB1814 – RELATING TO EDUCATION**

Dear Chair Takumi, Vice-Chair Ohno and Members of the Committee,

The Community Children's Councils (CCC's) **supports HB1814**, with the amendments proposed which appropriates funds to provide training and track data on public school pupil punishment and use of restraints restrictions established by Act 206, Session Laws of Hawaii 2014. Requires report. Appropriates funds.

The CCCs have maintained seclusions and restraints continues to be a large problem in schools. Typically this is used with students with disabilities when they are upset in order to calm or control them. An analysis by ProPublica and NPR data for the 2011-2012 school year discipline practices from the US Department of Education's Civil Rights Data Collection show:

- Restraint and seclusion were used at least 267,000 times nationwide. That includes 163,000 instances in which students were restrained, Mechanical restraints were used 7,600 of those times.
- Schools reported that the placed children in seclusion rooms about 104,000 times
- In 75 percent of the cases, it was kids with disabilities who were restrained or secluded.

The 17 CCCs are community-based bodies comprised of parents, professionals in both public and private agencies and other interested persons who are concerned with specialized services provided to Hawaii's students. Membership is diverse, voluntary and advisory in nature. The CCCs are in rural and urban communities organized around the Complexes in the Department of Education.

Should you have any questions or need additional information, please contact the Community Children's Council Office (CCCO) at 586-5363.

Thank you for considering our testimony,  
Tom Smith, Co-Chair

Jessica Wong-Sumida, Co-Chair

(Original signatures are on file with the CCCO)