



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Testimony COMMENTING on HB 2135, HD 1
RELATING TO EXTRACURRICULAR ACTIVITIES

REPRESENTATIVE KARL RHOADS, CHAIR
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: February 16, 2016

Room Number: 325

1 **Fiscal Implications:** If a disease outbreak were to occur in a school setting, the Department of
2 Health would be responsible for costs associated with the outbreak investigation as well as the
3 costs of any vaccines administered or any medications requiring directly observed therapy with
4 the intent of preventing further disease transmission.

5 **Department Testimony:** The Department is providing comment on HB 2135, HD 1. The
6 Department appreciates that language has been included in the bill to require any home schooled
7 child who wishes to participate in an extracurricular activity meet the same health requirements
8 required of any student attending school in Hawaii, outlined in HRS §§302A-1154 through 1157.
9 Unprotected individuals risk their own health as well as the health of the school and community.
10 Introduction of an infectious disease such as measles, pertussis (whooping cough), or
11 tuberculosis into an environment where many children are closely congregated could lead to
12 outbreaks, jeopardizing the health of the students, school faculty/staff, and the community should
13 transmission occur.

14 Thank you for the opportunity to testify.



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

Date: 02/16/2016
Time: 02:00 PM
Location: 325
Committee: House Judiciary

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 2135, HD1 RELATING TO EXTRACURRICULAR ACTIVITIES.

Purpose of Bill: Allows home schooled students to participate in extracurricular activities offered at the public school that they would otherwise be required to attend. (HB2135 HD1)

Department's Position:

The Department of Education (Department) recognizes the intent of HB 2135 HD1. The Department is reviewing this proposed measure and respectfully offers its comments and concerns.

Specifically, as proposed in Section 1(a):

(1) The health requirements set forth in sections 302A-1154 through 302A-1157, prior to the child's participation in the extracurricular activity ; and

- Should this measure move forward, the Department is exploring alternatives that may allow Department of Health staff to follow-up with families of students who have not met or are unable to meet the health record or vaccination requirement mandates of this proposal.
- Currently, health records are not required for home schooled children. It is not necessary for the home schooled child to submit the TB (tuberculosis) test clearance or Form 14 (Student Health Record). This is of concern to the Department due to health and safety of all students.

(2) The participation requirements and restrictions for the extracurricular activity , including maintaining appropriate grade point averages and paying appropriate fees ; provided that the requirements or restrictions shall not be inconsistent with this section .

- The Department and school leadership continue to voice strong concerns about the ongoing academic progress monitoring of home schooled students as mandated by this measure as students must maintain a certain Grade Point Average (GPA) in order to participate in extra-curricular activities including sports.
- The additional administrative oversight necessary to monitor varied home schooler'

curriculum will add to the principal's responsibilities and already heavy workload.

- Significantly, in the Board of Education's report to the 2014 Legislature, the Home school representatives also noted that indicative of a parent's choice to home school is the desire to individually select curriculum, thus, determining a means to evaluate progress will be difficult, and is dependent on the cooperation of the home schooled student's parent.
- At this time, parents of home schooled children are not required to officially enroll and un-enroll students in order to home school their child; therefore, no birth certificate or proof of residency is required. Failure to provide a birth certificate and proof of residency will be particularly problematic as it pertains to high school athletics. This could also impact league competition based on the rules of each interscholastic league.

Further, proposed in Section 1(b);

(c) As used in this section, "extracurricular activity" means a school-authorized or education-related activity occurring during or outside the regular instructional school day, including sports, cheerleading, clubs, and other programs.

- The Department is soliciting additional feedback regarding the participation of home schooled students in extracurricular activities held during the regular instructional school day, including any required tools to monitor and track a home schooled child's participation and/or presence on campus during the school day relative to ensuring safety.

Hawaii Administrative Rules and Board of Education (Board) policy. Notwithstanding Hawaii Administrative Rules, Title 8, Chapter 12, Compulsory Attendance Exceptions, <http://www.hawaii.boe.net/AdminRules/Pages/AdminRule12.aspx>, there are no Board policies governing home school students' access to public school activities.

- Pursuant to HAR §8-12-2, "Home schooling" means a viable educational option where a parent instructs the parent's own child" and pursuant to HAR §8-12-13, when a parent submits an intent to home school, the parent is responsible for "the child's total educational program including athletics and other co-curricular activities."
- Should this measure move forward, the Department will need to review and propose a new policy and changes to current Board policies, as needed, for the Board's consideration.

Funding and Fees. Further, the public school system does not receive any funding for home schooled students since they are not counted in public school enrollment counts. Schools would not receive funding through weighted student formula for home schooled students. The details of establishing a fee schedule for home schooled students' participation remains to be explored.

Feedback from Educational Leaders . This year, the Department sought feedback from our Complex Area Superintendents and Principals on this measure. For your consideration, we would like to share some of those comments:

The student would need to be enrolled at the home school [Department designates a "home school" for a student based on where a child physically resides]. When a parent chooses to home school his/her child it is akin to enrolling the child at a private school. The extra curricular activities at my participation school are reserved for students enrolled at that specific school. Students enrolled at a private school do so by choice. Their parents still pay taxes but opt for a different educational experience for their child. Along with that, they forego the opportunities that would be provided by the public school. Similarly parents who opt for home schooling do so with the same. Extracurricular activities are part of a school's comprehensive educational program. These activities extend the learning into other contexts, reinforcing study skills, working in conjunction with classroom teachers and remain accountable to the school's

program. If there is a student that is not enrolled at the school, the overall purpose of extra curriculars to play this role is debilitated.(Elementary principal)

What about TB, physical, insurance. We have no control on how home schools grade. They do not come under Chapter 19? Do they get trainings? How do we set up accounts for pay?(High School principal)

Athletics - will students need to meet GPA [grade point average] requirements? Will the "parent" be the one giving the grade? Difficult even for elementary schools as students may meet during the school day. There are grade checks as well as behavioral expectations.(Former Complex Area Superintendent)

2014 Legislative Report. Lastly and notably, in 2014, the Board submitted its report in response to the 2013 Senate Concurrent Resolution (SCR)76 on this subject to the Legislature. The Board convened a stakeholder group to research models and best practices on home schooled student participation in public school extracurricular activities and sports and explore implementation of such a program in Hawaii.

The Board reported:

- All appeared to agree that academic eligibility was important, but measures, monitoring and funding still need to be addressed. Currently, public school students are required to maintain a 2.0 Grade Point Average in all classes required for graduation. Board Policy 4520. There is generally a quarterly grade check but this can be more frequent.
- Behavioral requirements were discussed and it appeared reasonable that if a student was disruptive, that student should not be allowed to participate. Still, there were questions raised about other athletic requirements such as classification of junior varsity versus varsity, years of eligibility, physical/health checks and credits for establishing grade level.
- Since school principals and athletic coaches felt strongly about ensuring academic achievement and discouraging students from being withdrawn from public school to play sports, a restriction was discussed of twelve months of home schooling as a prerequisite to participating in sports. A requirement of the home school student being registered with the school as a home schooled student at the beginning of the year as a requirement to participating in sports was also discussed. The applicability to other extracurricular activities still needs to be explored.
- The variety of fees that are required of public school students were noted and discussed. These fees are noted costs for participation in extracurricular activities and sports and thus, may be fees that the home schooled student would need to bear. Examples of fees included: transportation fees, equipment fees, and catastrophic insurance fees.
- It was determined that the definition of enrollment for home schooled students in the public school would need to be clarified. It appeared that the participants would agree that enrollment requirements could be possible but there was opposition to requiring all home schooled students to enroll since not all home schooled student would want to participate in a public school extracurricular activity or sports.

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

Report to the 2014 Legislature on 2013 Senate Concurrent Resolution 76:

http://www.hawaiiboe.net/reports/Documents/2014%20Legislative%20Reports/SCR%2076_Co mplete%20Rpt_Final.pdf

February 12, 2016

From: Jolynn L. Walther, Community Member

Re: HB2135 - RELATING TO EXTRACURRICULAR ACTIVITIES

Thank you for the opportunity to address House Bill 2135.

I urge you to pass this important legislation allowing home schooled students to participate in extracurricular activities at the public school that they would have gone to otherwise. Childhood is an age that requires guidance, support and a wide variety of experiences. With the ongoing challenges faced in the public school system, more parents are seeking alternative sources of education for their children. While this move may help their children academically, there are many factors that limit the type of experiences home schooled children are exposed to. Access to extracurricular activities at public schools would allow these youth to engage in pro-social activities that contribute significantly to positive youth development.

Thank you for your time and consideration regarding this important issue.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 11:49 AM
To: JUDtestimony
Cc: usagawas17@knights.k12.hi.us
Subject: Submitted testimony for HB2135 on Feb 16, 2016 14:00PM

HB2135

Submitted on: 2/16/2016

Testimony for JUD on Feb 16, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Sheridyn Usagawa	Individual	Support	No

Comments: Hi my name is Sheridyn Usagawa and I am a junior at Castle High School. I support Bill HB2135 that allows participation in extracurricular activities for home schooled students. Allowing home schooled students to be a part of extracurricular activities can provide equal opportunity for college to all students. This could improve their resume by showing their involvement with the community through clubs or their commitment through sports. It could also give them a chance at gaining sport scholarships to the school they prefer. This can also improve the skills needed in the future such as social skills, communication, teamwork, problem solving, and getting out of their comfort zone. This could help them gain the skills needed for future references giving them an idea of how to handle problems that may occur when they go off to college and beyond. Lastly this could provide the school clubs and sports with a greater participation. Bringing more attention to the clubs or sports that the schools have to offer. Allowing others to join can also provide fresh ideas or a new point of view on the subject that has the potential to improve the community. In conclusion I support participation in extracurricular activities for home schooled students because it can provide equal opportunity to colleges, improve skills needed in the future, and increase the participation in sports and clubs. Thank you for your time and consideration, I hope you support Bill HB2135.

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Subject: Submitted testimony for HB2135 on Feb 16, 2016 14:00PM

HB2135

Submitted on: 2/16/2016

Testimony for JUD on Feb 16, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jacqueline Noborikawa	Individual	Support	No

Comments: My name is Jacqueline Noborikawa and I am currently a senior at Castle High School. I support Bill HB2135. Home schooled students do not have the luxury to enhance their resumes with extra curricular activities. They should not be hindered because of their current circumstances. The ability to help a child's future career goals are an important standard for education in Hawaii. Teachers may be able to give you knowledge but it is difficult for them to teach you life lessons. Through extra curricular activities you are able to engage in character building. One can learn how to work with and count on others which is a great life lesson to have have. Extra curricular activities teach you life lesson that are pertinent to your future, whether it be college, job or relationship related. Students from other schools that do not have athletics have the ability to come to our school and join our sports teams. This system also faces the same difficulties as home schooled students would such as different grading systems, disciplinary actions, school obligations and so on. But if these few students have the ability to join our sports then home schooled students should also be able to. Though there are a few details that need to be worked out the positive effects of this bill is what we should strive for. After all, students today will determine the future of tomorrow. Thank you for your time and I hope you also support Bill HB2135.

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Sent: Tuesday, February 16, 2016 11:37 AM
To: JUDtestimony
Cc: geraldurango@gmail.com
Subject: Submitted testimony for HB2135 on Feb 16, 2016 14:00PM

HB2135

Submitted on: 2/16/2016

Testimony for JUD on Feb 16, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Gerald Durango	Individual	Comments Only	No

Comments: Hello, I am Gerald Durango and I am currently a freshman at Kailua High School. I strongly agree with House Bill 2135 for several reasons; social interaction, academic challenges, and physical activities. First of all, homeschooled students should have the right to be in any extracurricular activities as long as they abide to the DOE rules upon their specific activity. One might say that homeschooled students would get special treatment because of their inexperience with sports or activities. As someone who plays sports, school is rarely mentioned other than having grade checks. I once had teammates who didn't attend the school I was going. We still respected him because we didn't segregate him as someone who is socially awkward or weird. When in sports, we're teammates and we don't classify each other with labels. Because homeschooled students don't get as much interaction with their age groups, this gives these students an opportunity to branch out and mingle. These skills could benefit the child so that they would be able to have the experience. One might say that you could just put the child into a public school. Although this is indeed a viable solution, the parents could be restricting the child for personal reasons and thus can't get the same experiences that public schools do. Also physical activities are limited and restricted with homeschooled kids. They don't have opportunities to join these sports because they don't offer these sports. Overall, homeschooled kids are still students and they should have the chance to join these sports and just live the life as a kid. Thank you for your time and I hope you consider this bill!

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 11:32 AM
To: JUDtestimony
Cc: rianne.barroga@gmail.com
Subject: Submitted testimony for HB2135 on Feb 16, 2016 14:00PM

HB2135

Submitted on: 2/16/2016

Testimony for JUD on Feb 16, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joyce	Individual	Comments Only	No

Comments: Aloha, my name is Joyce and i'm an eighth grader from Waimanalo Elementary and Intermediate School. I support the bill HB 2135, to allow home schooled children to be involved in public school extracurricular activities. I believe that home schooled students should be allowed to participate in these activities because then they can be involved in the community. They can work on their social skills and improve on communication. They can have a chance to do what they are interested in. This can benefit the students opportunity to strengthen their resumes for college. It can also prepare them for college so they experience working with others. If they are home schooled for their whole life, it might be difficult to go to college because the lack of social skills. Schools can also have bigger sports teams because more kids can participate. This can increase the students physical activity instead of just staying home. They can have a chance to be like a regular student. Thank you for your time and consideration, I ask for your support in the bill HB 2135.

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LATE

February 16, 2016

To: Chairperson Karl Rhoads

Vice Chair Joy A. San Buenaventura

Members of the Judiciary Committee

From: Miyuu Handa

Subject: Support of HB2135 HD1; Relating to Homeschooling; Extracurricular activities

Aloha, my name is Miyuu Handa and I'm a Sophomore at Kalaheo High School in Kailua of the Windward District. I am in support of HB2135 D1, in allowing home schooled students to participate in extracurricular activities offered at the public school that they would otherwise attend.

In this current time, children who are home schooled don't have the opportunity to enjoy being able to do team sports and other extracurricular activities. With this bill in motion, students will have the opportunity to be involved in the community and make new friends that they otherwise may not have had a chance to meet without the opportunity to do these extracurricular activities. This would also provide the student being home schooled to have an opportunity to strengthen their resume for college. While students who go to public school get the chance to build their resume with the extracurricular activities that are offered, the home schooled child does not. On the other hand, with the interaction of the students from clubs and sports and other extracurricular activities, it would give the child an opportunity to strengthen their social skills and help with the preparation for college.

This bill would also give the child an equal opportunity to participate in activities that many other children are allowed to enjoy. The homeschooled children don't get the chance to interact with many students and other peers their age and that may cause problems for the child and their social skills. When the child participates in extracurricular activities, they given the opportunity to build their social skills by interacting with other peers their age. Thus giving the children "a greater high school experience" overall.

With this in mind, I humbly ask for your support in HB2135 HD1; Mahalo for your valuable time and consideration.

LATE

February 16, 2016

To: Karl Rhoads, Chair

Joy A. San Buenaventura, Vice Chair

Members of the committee

From: Vrindi Van Osdol, Student

Subject: Support of HB2135 in relation to extracurricular activities.

Aloha! My name is Vrindi Van Osdol and I am currently a senior attending Kalaheo High School. I support HB2135 because as a student that was formerly home schooled I understand the importance of socializing with other kids my age. When I was home-schooled there were never many places I could go that allowed me to participate in sports, clubs or any other activity. The only activities that were available were ones that were all the way across the island or that cost a lot of money. Needless to say my parents weren't too fond of the idea. They'd rather me be closer to home and find something cheaper for me to do that would still bring me in contact with other children. By supporting this bill homeschooled students would be able to develop critical social skills that they could use throughout their lives as well as provide a cheap alternative for extracurricular activities for parents who can't afford to send their kids anywhere else.

The chance to participate in sports or arts with other students would also allow many home schooled students the chance to strengthen their college resumes by providing them access to activities they would otherwise be unable to participate in. Students deserve the chance to get the best education and extracurricular opportunities available in their pursuit to attend college. Just because home school students don't regularly attend school they still deserve an equal opportunity as regular students and it gives them a chance to be a part of their community.

Passing this bill will give home schooled students the chance to make friends, gain social skills, and be treated equally compared to public school students. With this in mind, I humbly ask for your support in passing HB2135. Thank you for your time and consideration.

KAILUA HIGH SCHOOL

Student Board of Affairs

LATE

February 16, 2016

TO: Chair Rep. Karl Rhoads
Vice Chair Rep. Joy San Buenaventura
Members of the House Judiciary Committee

FROM: Zachary Espino, Student Body President
Kailua High School



SUBJECT: **House Bill 2135 – Relating to Extra Curricular Activities**

My name is Zachary Espino and I am currently a senior attending Kailua High School and serve as its student body president. I strongly believe and support House Bill 2135 – relating to extra curricular activities and I would like to ask for your support.

Hawaii's public school system is unique; it is one public school system for the entire state. Not comparable to other school systems, where they may have school districts. With that being said, we have an amazing opportunity to enact change and create a system that works for all of our public school students. We must provide home schooled student's equal opportunities to participate in public school extra curricular activities. We also give them a chance to create change in their community by being a participant in school activities and functions. This would provide school sports teams with larger numbers; this would aid schools with smaller school populations and provide more opportunities in the future. We also do a service for these home-schooled students by giving them a chance to improve social skills; these skills are not attainable at home but in the classroom. Although, it may create conflicts between the parents of public school students and the school, I believe that a well-created system for our home-schooled students is the best thing we can do. This would prepare students for college by providing them various opportunities to build, strengthen, or even begin working on a college resume that gives them another chance to get into college and beyond.

We should provide every student, whether it may be a public school student or home-schooled student, the chance to be involved and work towards the betterment of social skills. All we need to do is create a system that outlines the various policies and guidelines that should be set forth for home-schooled students to participate in extra-curricular activities. We must also provide the same/or similar criteria for students to meet the requirements for participation in these various activities.

Thank you for your time and consideration of House Bill 2135. I hope that you will support this bill and work to provide every student the opportunity to succeed and be involved in whatever they may want!

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 11:09 AM
To: JUDtestimony
Cc: Livhock2002@gmail.com
Subject: Submitted testimony for HB2135 on Feb 16, 2016 14:00PM

HB2135

Submitted on: 2/16/2016

Testimony for JUD on Feb 16, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Liv	Individual	Support	No

Comments: Hello, I am Olivia Hocking and I am an 8th grader who is in the Wind Ward District Student Council. I support home schooled students being able to participate in public schools because I strongly believe the treasure of knowledge should be open to all. Please see that knowledge is precious and that we should always use and learn as much of knowledge as we can. We shouldn't hold the right to learn or participate from anyone. Thank you and I hope that you take my beliefs into consideration.

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Cc: dkapua@gmail.com
Subject: Submitted testimony for HB2135 on Feb 16, 2016 14:00PM

HB2135

Submitted on: 2/16/2016

Testimony for JUD on Feb 16, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kapua Keliikoa-Kamai	Individual	Support	No

Comments: Aloha, Please pass HB 2135 HD1 RELATING TO EXTRACURRICULAR ACTIVITIES. Allows home schooled students to participate in extracurricular activities offered at the public school that they would otherwise be required to attend. Due to the on-going failure of our DOE system, many parents have opted for more affordable, practical and safer educational solutions such as home schooling (HS) and public charter schools (PCS). However, these children still deserve opportunities to interact & engage with their peers in a broader manner thereby demonstrating their athletic, artistic, competitive, etc. abilities in preparation for their future lives. In addition, the state DOE also saves monies because HS parents absorbs the brunt of the educational expenses and PCS students are minimally funded (compared to their DOE counterparts). Therefore, I suggest these students be waived from student fees and assessed for the specific activity only. Mahalo. Kapua Keliikoa-Kamai Concerned Wai'anae Resident & PCS Parent

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