



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 2454 RELATING TO LICENSING OF PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOL.

Purpose of Bill:

Department's Position:

The Department of Education (Department) strongly supports HB 2454.

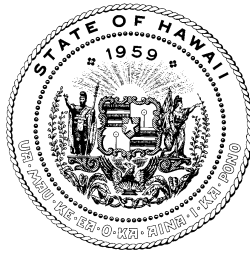
Licensing Private Trade Vocational Technical schools is misaligned with the DOE's primary mission. Its mission is focused on K-12 education to ensure that all public school students can reach their fullest potential and attain their aspirations in the 21st century.

Given the Department's budgetary constraints and restrictions, PTVT administration by the DOE continues to and has taken away valuable resources and time that should be solely focused on providing direct services and supports for Hawaii public schools, educators and students.

Additionally, the Department acknowledges its inability to properly administer a regulatory program that is not compatible with the Department's primary mission.

Therefore, the Department strongly supports PTVT oversight be transferred in whole to DCCA, where the regulatory and licensing expertise exists.

Thank you for this opportunity to provide testimony on HB 2454.



**TESTIMONY OF JAN K. YAMANE, ACTING STATE AUDITOR,
ON HOUSE BILL NO. 2454
RELATING TO LICENSING OF PRIVATE TRADE,
VOCATIONAL AND TECHNICAL SCHOOL**

House Committee on Education

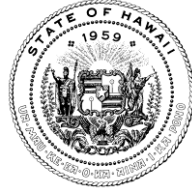
February 5, 2016

Chair Takumi and Members of the Committee:

Thank you for the opportunity to testify in support of HB 2454. The purpose of the bill is to transfer the licensing and regulation program for private trade, vocational, and technical schools from the Department of Education to the Department of Commerce and Consumer Affairs.

As you know, one of the recommendations we made in our Report No. 02-08, *A Study on the Licensing of Private Trade, Vocational, and Technical Schools* (April 2002) was for the Legislature to consider transferring the licensing program to DCCA. This bill would effectuate that recommendation.

Thank you for the opportunity to testify in support of HB 2454.



DAVID Y. IGE
GOVERNOR
SHAN S. TSUTSUI
LT. GOVERNOR

STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
335 MERCHANT STREET, ROOM 310
P.O. Box 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
Fax Number: 586-2856
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN
DIRECTOR
JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

**PRESENTATION OF THE
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

TO THE HOUSE COMMITTEE ON EDUCATION

TWENTY-EIGHTH LEGISLATURE
Regular Session of 2016
Friday, February 5, 2016
2:00 p.m.

**TESTIMONY ON HOUSE BILL NO. 2454, RELATING TO LICENSING OF PRIVATE
TRADE, VOCATIONAL, AND TECHNICAL SCHOOL.**

TO THE HONORABLE ROY M. TAKUMI, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Catherine Awakuni Colón, Director of the Department of Commerce and Consumer Affairs (“DCCA”). DCCA appreciates the opportunity to provide testimony in **opposition** to House Bill No. 2454, Relating to Licensing of Private Trade, Vocational, and Technical School.

House Bill No. 2454 provides for the transfer of regulatory oversight of private trade, vocational, and technical (“PTVT”) schools from the Department of Education (“DOE”) to DCCA. DCCA strongly supports quality education in this State, no matter the type or level of instruction. From DCCA’s perspective, quality educational programs strengthen Hawaii by fostering a culture of life-long learning and increased competency.

DCCA believes the DOE should be commended for its work in all aspects of education, including in the areas of post-secondary education and vocational, technical, and career focused education.

As noted in the bill, DCCA and DOE have been working collaboratively during the interim as provided for in Senate Concurrent Resolution No. 46, S.D.1 (“SCR46”). The departments gathered information related to the program, conducted surveys of PTVT schools and interviewed a number of individual licensees regarding the nature and need for oversight. In working along side the DOE to review that department’s long-standing PTVT licensing program (“Program”), ***it remains unclear why transferring the DOE’s PTVT licensing program is necessary.***

A review of the Program – including input from Hawaii PTVT schools and consideration of existing laws and past reports – show that ***transfer is a solution looking for a problem.*** DOE has been successfully operating the Program since 1939, and its existing licensee population is happy with the support and assistance that DOE provides. DOE timely processes license applications and renewals, and staff is knowledgeable about the criteria for licensure and diligent in providing assistance as needed. In short, there appears to be little reason to make drastic changes to the Program at this time.

By contrast, DCCA is concerned that transferring the Program as proposed in this measure would create genuine problems for PTVT schools and their students. Moving the program from a general funded agency to a special funded agency would necessarily require a significant fee adjustment that would be borne by the licensees. If

DOE believes that its program is operationally burdensome, DCCA recommends that focused adjustments be made to the Program within the DOE so as to help that agency effectively manage its responsibilities of overseeing educational policy and practice in the State.

DOE Program Continues to Best Serve the State

As DCCA has testified on similar legislation,¹ transferring the DOE's long-running PTVT Program is inappropriate because the DOE is the proper agency to oversee the licensing of educational programs in the same manner that other agencies with the proper subject matter expertise are responsible for specialized licensing programs. The DOE is the agency responsible for ensuring educational quality in the State. Trade/vocational/technical education is an accepted part of the DOE's mandate, as evidenced by a number of measures introduced this legislative session.²

The Program's statutes under Chapter 302A, Hawaii Revised Statutes ("HRS"), require review of advertising content, standards and method of instruction, and equipment provided. The DOE's rules provide for site inspection, and approval of curriculum of PTVT schools. As the department whose mission is education, DOE is in the best position to fulfill this policy function. DCCA's core function, on the other hand,

¹See Testimony of the Department of Commerce and Consumer Affairs on Senate Bill No. 856, Relating to Education, before the Senate Committees on Education and Commerce and Consumer Protection; February 6, 2015.

²See S.B. No. 2589, Relating to Education (expanding vocational, technical, and career pathway programs). See also H.B. No. 2733, Relating to Education (part III of this bill also expands vocational, technical, and career pathway programs). See also S.B. No. 2594, Relating to Education (establishing a student loan subsidy program to encourage vocational, technical, and career education teachers). See also S.B. No. 2957, Relating to Education (increasing the Hawaii Teachers Standards Board's ability to license individuals with military experience to teach vocational, technical, or career pathway education).

is business regulation. In that capacity, it is unfamiliar with the state and federal laws, rules and industry standards that would apply to a qualitative oversight.

Just as important, the DOE-DCCA review of the Program requested by SCR46 and the resulting joint report (“SCR46 Report”) did not uncover any significant problems that would necessitate a transfer of the Program away from DOE. A survey of licensees indicated instead that the Program is working well, with past and present DOE staff successfully administering the Program. The review also did not discover any significant risk to students of PTVT schools that would require increased DCCA involvement beyond the protections that are already set up in the State’s consumer protection laws, let alone complete transfer of the Program.

If the DOE is concerned about having a perceived lack of expertise in licensing teachers and schools or in performing the work that comes with administering the Program, DCCA believes the solutions it proposed in the SCR46 Report to help streamline the DOE’s Program are more helpful than a full program transfer. These solutions included revising existing statutes and rules to eliminate unnecessary procedures, increase fees, and provide the DOE with additional regulatory authority to streamline the Program; considering a more limited scope of licensing, where appropriate, to reduce workload; and providing more resources to the DOE for administering the Program. DCCA also expressed a willingness to provide appropriate assistance to DOE Program staff if necessary. Without more apparent issues for the DOE Program, no other actions seem necessary.

DCCA also notes that the DOE has in-house expertise in educational licensing via the Hawaii Teachers Standards Board³ that would be a valuable resource to the DOE in overseeing PTVT schools. The Hawaii Teachers Standards Board is responsible for establishing licensing standards for Hawaii teachers, including procedures for initial issuance and renewal of teacher licenses, the establishment of teacher license penalties by rule, and the conditioning/revoking/suspending of licenses.

Again, it is unclear what difficulties plague the DOE's long-run Program at this time that would necessitate a full transfer of the Program to DCCA. The Program has been administered by the DOE since 1939, and, while the Legislature has had ample opportunity to consider whether the Program is better aligned with another agency's mission,⁴ it has remained with DOE for nearly 80 years.

Negative Impacts to Existing PTVT Schools and Students

DCCA is concerned that a transfer of the DOE's Program would have significant negative impacts for a number of existing PTVT schools and their different students. Specifically, moving the Program to DCCA would result in considerable increases in licensing costs for PTVT schools that would impact school operations and the instruction provided to students. The DOE currently assesses licensing fees of \$100 (initial application) and \$50 (renewal application) for each of its roughly 30 PTVT school

³HRS § 302A-801(b) states that the Hawaii Teachers Standards Board shall be composed of a diverse group of educational professionals "that will best serve the diverse interests and needs of elementary and secondary school personnel and the education system in Hawaii from early childhood through higher education."

⁴The licensing of PTVT schools has always maintained that ensuring educational quality is a primary focus of the program, even under the current DOE Program language in HRS § 302A-425.

licensees. DCCA operates under a funding model different from the DOE and most other state agencies, where regulatory programs administered by DCCA are directly funded by the fees paid entities regulated by the respective programs. As a special-funded department, the costs associated with a new program cannot be borne by other licensee types.⁵

Establishing and operating a regulatory program under DCCA for a limited number of PTVT schools would increase licensing fees for schools by at least several thousands of dollars per school, per two-year licensing period.⁶ Many of the existing PTVT schools are smaller operations with a limited number of students to shoulder the increased licensing costs. DCCA is concerned that transferring the Program would make operating a PTVT school in this State even more difficult for programs that offer critical vocational and career training for Hawaii's citizens.

DCCA believes, however, that some increase to the DOE's licensing fees is appropriate, particularly given that these fees appear to have not been adjusted in many years. Should the DOE want dedicated funding for the Program, DCCA would support the creation of a special fund for the Program similar to other special funds supporting DOE licensing programs.⁷

⁵See HIC v. Lingle, 120 Hawaii 51, 201 P.3d 564 (2008).

⁶As a comparison, the Hawaii Post-Secondary Education Program ("HPEAP") under DCCA has current authorization and re-authorization fees of \$10,000 per school, per two-year authorization cycle, and the program is undergoing an additional fee increase to better cover the costs of operations. HPEAP looks at the business operations of accredited, degree-granting institutions only and specifically does not cover non-degree-granting post-secondary educational institutions licensed by the State.

⁷See HRS § 302A-806 establishing the Hawaii Teacher Standards Board Special Fund.

DOE has an operating budget that is well in excess of a billion dollars. While DCCA does not wish to minimize DOE's many daunting responsibilities, its budget size and funding structure affords it the flexibility to successfully maintain this Program in a manner that supports and acknowledges the important role PTVT schools play in the continuum of learning for many of this State's young adults.

DCCA thanks the Committee for its consideration and believes alternative solutions, such as those proposed in the SCR46 Report, will best assist the DOE in administering the Program without also creating significant disruption to the operations of PTVT schools serving Hawaii.

Thank you for the opportunity to provide testimony on this measure. I will be happy to answer any questions the members of the Committee may have.

To: The House Committee on Education Thirtieth Legislature, Regular Session of 2016,
Representative Roy M. Takumi, Chair, Representative Takashi Ohno, Vice Chair

Testimony RE: **House Bill 2454**, Relating to the Licensing of Private Trade, Vocational and Technical Schools

Friday, February 5, 2016

Testifying: Mark Olson, Ph.D., Director, Pacific Center for Awareness and Bodywork

Honorable Chairperson and Members of these Committees:

I am Mark Olson, the Owner and Director of a massage therapy school on Kaua'i that has been licensed by the DOE for over two decades. **I oppose the transference of Private Trade, Vocational, and Technical School licensure from the Department of Education to the DCCA.**

The following outlines some of the reasons for my opposition.

1. There has been no stated advantage for the schools of making this change.
2. The only explicitly stated change for the schools would be a fee increase, which we've been told would be a minimum \$10,000 increase. Such a \$10,000+ increase would be passed onto students in the form of tuition increases at my school of approximately 10%, which is certain to prevent many students from taking this first step into their career and could easily result in my school having to close. It would also make it even more difficult to offer an educational program for low-income adults. Nobody wants to pay more for nothing, and it seems that we're being asked to pay more for less credibility (#3 & #4 below) and more bureaucratic headaches (#5 & #6 below).
3. Removing the DOE license will make it more difficult to obtain (and maintain) national accreditation since accreditors often require some of the criteria (e.g. instructor approval) that the DOE has and that the DCCA does not have. While my school has not been accredited in the past, it's my intention as the new owner and director to obtain accreditation so that students (and veterans in particular) could obtain financial aid. Without certification from the DOE, accreditation won't be possible.
4. Removing the DOE license will reduce the credibility of the school in the eyes of the public. In addition, there would be no way to differentiate between credible schools and the dozens that are likely to pop up without the DOE requirements. The resulting lack of public trust would harm our marketing efforts and would result in the reduction of skilled professionals trained in Hawaii to serve Hawaii's consumers.
5. The process of each school having to learn a new application process will require excessive time and energy better spent improving curriculum and working with students.
6. The review process under DCCA will likely be less streamlined and efficient than the process currently in place under the DOE since the DCCA will have to develop and learn a number of procedures that the DOE already has the know-how for. Furthermore, the Board of Massage within the DCCA has an infamous reputation for functioning very poorly (e.g. losing materials, taking weeks to respond and process requests, having unfriendly and unhelpful staff, sending outdated information, etc.), so if the Board of Massage is any indication of how effectively the DCCA would handle the task of certifying schools, I have good reason to be concerned. The DOE has friendly staff that responds quickly and operates efficiently.

Please defeat this bill. Thank you for considering this testimony. I am available for questions.

Mark Olson, Ph.D.

Dear Representative Roy M. Takumi, Chair

Testimony RE: House Bill 2454

Relating to the Licensing of Private Trade, Vocational and Technical Schools

I am Frances Salvato, The Director of Education at the Maui School of Therapeutic Massage, a Private Postsecondary School Currently Licensed by the Department of Education, State of Hawaii. **I oppose the transference of Private Trade, Vocational and Technical School licensure from the Department of Education to the DCCA.**

Private Postsecondary Schools and their students stand to lose a lot if the transfer occurs. The Department of Education has efficiently reviewed and licensed private postsecondary schools for 76 years. The DOE has done the job well for decades and is very experienced in this area. We schools are asking the Legislature to recommend that the concentration of a few of the DOE staff hours to keep our schools licensed under the DOE. The DOE staff know how, and to do the job well. The DOE is accepted as licensing postsecondary schools for USDE financial aid approval. Why change?

The DCCA does not have the knowledge and expertise to help small schools grow. The DCCA Authority was created in a scramble a few years ago because it was learned that the large degree granting colleges had given up the State authority that was necessary to keep financial aid for their students and the federal USDOE required immediate authority in the state to teach postsecondary students. The DCCA is dealing with managers of large corporate degree granting schools, not small schools like ours. DCCA protects the public. DOE is dedicated to helping students. DCCA will limit the types of schools that may apply for approval. How are schools expected to begin and grow? DOE allows exceptions until a school is large enough to need their help, but does not stop anyone from applying.

It has been the charge of the DOE to keep Postsecondary Career Schools up to very clear standards, some of them the highest standards in the nation, helping the schools in Hawaii

grow.

TEACHER CERTIFICATION

DCCA not does not review the history of instructor employment and certify our teachers to teach in postsecondary schools. DCCA does not require Tb test of all school staff and for the students to have MMR clearances. Every two years schools must update and report curriculum and assure we have adequate instructors. Will the DCCA make time to help schools in these ways and all of the other ways the DOE helps? Turning over the paperwork is one thing, gaining the expertise to teach the Schools what they must know and do, is another. **These are Educational institutions. Education belongs under the jurisdiction of the DOE. Please have the DOE keep the job that they do so well.**

COST

It is my understanding that DCCA State Authority Program currently charges the Degree granting Schools \$10,000.00 a year. DCCA is testifying that their current charges are not enough and they would have to charge the Private Trade, Vocational and Technical Schools much more. This bill does not even state how much more! DCCA would need to create a new executive who would require a high salary and a clerk or two to do much of the work creating new forms and determining how to accomplish the task. WHY? The DOE has been doing the Job well at no humongous cost.

Hawaii Taxpayers, thru the state, sponsors education at Community colleges and the University of Hawaii. Our schools train students because there are not enough programs at the State schools to cover the diverse education that is offered at the postsecondary trade schools. We are not asking for help with maintenance of our buildings or teachers' pay or retirement or any of that. We are asking for a little time from a couple of DOE staff to keep our schools up to State Standards and to give our schools the credibility and the pride that comes with certification and licensure by the State Doe. We enroll students, train them well and pay taxes on our income and teachers' salaries. To make the schools pay exorbitant fees to exist in this state, fees that will dwindle down to the students (your taxpayers or children of taxpayers) , and will close good schools that cannot afford the fees is really taxation without representation for the little people. All of the taxes that licensed schools and their graduates pay go into the state coffers that sponsor the DOE. Can we get a little help back?

Please defeat this bill.

Thank you for hearing and considering this testimony and I am available for questions.

--

Thank you,

Frances Salvato
Director of Education
PO Box 1891, Makawao, HI 96768
frances@massagemauui.com
www.massagemauui.com
Phone: (808) 572-1888
Fax: (808) 572-2274

HB2454

Submitted on: 2/4/2016

Testimony for EDN on Feb 5, 2016 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Kohn MD	www.WeAreOne.cc	Oppose	No

Comments: Strongly Oppose Education managed by Commerce vs Education
www.WeAreOne.cc

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

To: The House Committee on Education Thirtieth Legislature, Regular Session of 2016
Representative Roy M. Takumi, Chair
Representative Takashi Ohno, Vice Chair

Testimony RE: House Bill 2454
Relating to the Licensing of Private Trade, Vocational and Technical Schools

Friday, February 5, 2016

Testifying: Margaret Williams, President, Hawaii Institute of Hair Design, a Licensed School

Honorable Chairperson and Members of these Committees:

I am Margaret Williams, The Administrator of Hawaii Institute of Hair Design, a Private Postsecondary School Currently Licensed by the Department of Education, State of Hawaii. The Hawaii Institute of Hair Design is accredited by the Accrediting Commission of Career Schools and Colleges. Our Students use Title IV Aid if they qualify. **I oppose the transference of Private Trade, Vocational and Technical School licensure from the Department of Education to the DCCA and have communicated with several licensed schools that also oppose the transference. .**

Private Postsecondary Schools and their students stand to lose a lot if the transfer occurs. The Department of Education has efficiently reviewed and licensed private postsecondary schools for 76 years. The DOE has done the job well for decades and is very experienced in this area. We schools are asking the Legislature to recommend that the concentration of a few of the DOE staff hours to keep our schools licensed under the DOE .The DOE staff know how, and to do the job well. The DOE is accepted as licensing postsecondary schools for USDE financial aid approval. Why change?

The DCCA does not have the knowledge and expertise to help small schools grow. The DCCA Authority was created in a scramble a few years ago because it was learned that the large degree granting colleges had given up the State authority that was necessary to keep financial aid for their students and the federal USDOE required immediate authority in the state to teach postsecondary students. The DCCA is dealing with managers of large corporate degree granting schools, not small schools like ours. DCCA protects the public. DOE is dedicated to helping students. DCCA will limit the types of schools that may apply for approval. How are schools expected to begin and grow? DOE allows exceptions until a school is large enough to need their help, but does not stop anyone from applying.

It has been the charge of the DOE to keep Postsecondary Career Schools up to very clear standards, some of them the highest standards in the nation, helping the schools in Hawaii

grow. Without the continuous reviews of DOE staff, the school I manage would never have become Nationally Accredited or grown to the establishment it is today.

TEACHER CERTIFICATION DCCA not does not review the history of instructor employment and certify our teachers to teach in postsecondary schools. DCCA does not require Tb test of all school staff and for the students to have MMR clearances. Years ago, DOE reviewed our catalog and contract with students and had me continuously work on them until our policies met State standards, preparing us for National accreditation review. Completing the Projected annual budget for the DOE helped me learn to properly budget finances and keep the school viable. Every two years schools must update and report our curriculum and assure we have adequate instructors. Will the DCCA make time to help schools in these ways and all of the other ways the DOE helps? Turning over the paperwork is one thing, gaining the expertise to teach the Schools what they must know and do, is another. **These are Educational institutions. Education belongs under the jurisdiction of the DOE. Please have the DOE keep the job that they do so well.**

LAW

The Barber laws state that students must complete their program in a licensed school. How do we comply if legislation deletes the DOE jurisdiction?

COST

It is my understanding that DCCA State Authority Program currently charges the Degree granting Schools \$10,000.00 a year. DCCA is testifying that their current charges are not enough and they would have to charge the Private Trade, Vocational and Technical Schools much more. This bill does not even state how much more! DCCA would need to create a new executive who would require a high salary and a clerk or two to do much of the work creating new forms and determining how to accomplish the task. WHY? The DOE has been doing the Job well at no humongous cost.

Hawaii Taxpayers, thru the state, sponsors education at Community colleges and the University of Hawaii. Our schools train students because there are not enough programs at the State schools to cover the diverse education that is offered at the postsecondary trade schools. We are not asking for help with maintenance of our buildings or teachers' pay or retirement or any of that. We are asking for a little time from a couple of DOE staff to keep our schools up to State Standards and to give our schools the credibility and the pride that comes with certification and licensure by the State Doe. We enroll students, train them well and pay taxes on our income and teachers' salaries. To make the schools pay exorbitant fees to exist in this state, fees that will dwindle down to the students (your taxpayers or children of taxpayers) , and will close good schools that cannot afford the fees is really taxation without representation

for the little people.. All of the taxes that licensed schools and their graduates pay go into the state coffers that sponsor the DOE. Can we get a little help back? Please defeat this bill.

Thank you for hearing and considering this testimony and I am available for questions.


Margaret Williams

Hawaii Institute of Hair Design

1128 Nuuanu Avenue #102

Honolulu, Hawaii 96817

Phone 808 533-6596

**To: The House Committee on Education Thirtieth Legislature, Regular Session of 2016
Representative Roy M. Takumi, Chair
Representative Takashi Ohno, Vice Chair**

**Testimony RE: House Bill 2454
Relating to the Licensing of Private Trade, Vocational and Technical Schools**

Friday, February 5, 2016

Testifying: Leo Williams, Hawaii Institute of Hair Design

Honorable Chairperson and Members of these Committees:

I am Leo Williams, the Director of Education at Hawaii Institute of Hair Design, a Private Postsecondary School Currently Licensed by the Department of Education, State of Hawaii

I oppose HB2454.

Potential Students and Career Counselors respect the Department of Education licenses and recognize them far more than that of the Department of Commerce and Consumer Affairs. Non-accredited schools need DOE licensure to demonstrate their credibility and to receive funding from the alternate funding sources that require the Department of Education License.

As for Accredited schools, delays and disruptions caused by the transference of licensure to the DCCA could jeopardize funding for our students, lower school standards and pride, and cause our students to suffer. . The federal government looks at small technicalities which stops federal funding. The delays and changes in licensure may cause delays of funding or loss of grants and loans for our students. Accredited schools have passed Recertification with the USDOE as Postsecondary Schools approved by the State Department of Education. Change is not necessary.

The systems for the Licensure of Private Trade, Vocational and Technical Schools have already been set up by the Department of Education. The job is done efficiently by the DOE. . State DOE certification is recognized on a national level. National Accreditors prefer to review schools that have first achieved State Department of Education Licensure. Don't put a wrench in a well-oiled working machine.

Travel Institute
OF THE PACIFIC

To: The House Committee on Education Thirtieth Legislature, Regular Session of 2016

Representative Roy M. Takumi, Chair

Representative Takashi Ohno, Vice Chair

Testimony RE: House Bill 2454

Relating to the Licensing of Private Trade, Vocational and Technical Schools

Honorable Chairperson and Members of these Committees:

My name is Frank Green, President of the Travel Institute of the Pacific and the Gros Bonnet Culinary Academy. Founded in 1973, we are a Private Postsecondary School licensed by the Department of Education, State of Hawaii, Nationally accredited by the Accrediting Commission of Career Schools and Colleges, approved for the acceptance of Veteran Benefits and a participant in the Title IV Federal Financial Aid programs.

I am opposed to the transference of Private Trade, Vocational and Technical School licensure from the Department of Education to the DCCA .

The Department of Education has efficiently reviewed and licensed private postsecondary schools for as far back as I can remember. They DOE has handled this task efficiently and has worked with the legislature and schools over the years to establish an effective set of guidelines and procedures that work! The current licensing requirements have kept the bureaucracy at a minimum while insuring protection for the students.

I am asking the Legislature to leave this process where it belongs, with the Department of Education. Moving to the DCCA would be a mistake. DCCA does not currently have the expertise in vocational education; review of program curriculum, assuring a safe and adequate learning environment, verifying Instructor qualifications, bonding, verifying the accuracy of school catalogs and enrollment agreements. Moving this to the DCCA would in effect be creating a new level of bureaucracy while incurring additional and unnecessary costs. I urge you to leave the process where it belongs – with the Department of Education.

Sincerely,

Frank Green
President
Travel Institute of the Pacific

To: The House Committee on Education
Representative: Roy M. Takumi, Chair
Representative: Takashi Ohno, Vice Chair

Thirtieth Legislature; Regular Session of 2016

Written Testimony RE: House Bill 2454
Relating to the Licensing of Private Trade, Vocational and Technical Schools

Friday, February 5, 2016

Written Testimony: Elaine Indei, Vice- Principal, Aisen Shiatsu School

I am Elaine Indei, the Vice Principal and administrator for the Aisen Shiatsu School, a vocational school that teaches the art and methodology of shiatsu, so graduates become licensed to practice shiatsu as a profession and perpetuate education on the merits of shiatsu. The Aisen Shiatsu School is accredited by the Accrediting Commission of Career Schools and Colleges. I oppose the transference of Private Trade, Vocational and Technical School licensure from the Department of Education to the DCCA for the following reasons:

The DCCA currently holds the role as the overseers of licensing for the Board of Massage. This we feel is a conflict of interest if they should also be required to take on the responsibilities that the DOE has been providing for the last 76 years.

Because we have been substantiated through the DOE we have been able to be bonded as a school. We are concerned that we will not have this same standing because the "requirements" will be modified to conform to what DCCA's scope of responsibilities are. We have been a vocational school accredited under the DOE for over 25 years, it has been a long and productive relationship. We have graduated hundreds of students who have gone on to be professional practitioners and educators all over the world.

Currently the Board of Massage approves worksheets for the "massage candidates who sit for the examination, will this be affected if they take over the responsibilities from the DOE?

What happens to our students who have come from foreign countries to receive training? The DOE is a recognized entity that allowed for our documentation to be acceptable on the federal level. Will we be required to pay additional fees as a result of these changes?

Additionally, who will oversee teacher's licenses? We feel that the amount of work done by the DOE is so extensive that the DCCA will not be able to adapt to the level of attention required or that the responsibilities will be watered down to the extent that it will lessen the effectiveness of presence as a vocational entity.

Much appreciation for your hearing and considering this testimony.

Elaine Indei
Aisen Shiatsu School
1314 S. King Street, Suite 601
Honolulu, HI 96813
(808) 596-7354

To: The House Committee on Education Thirtieth Legislature, Regular Session of 2016
Representative Roy M. Takumi, Chair
Representative Takashi Ohno, Vice Chair

Testimony RE: House Bill 2454
Relating to the Licensing of Private Trade, Vocational and Technical Schools

Friday, February 5, 2016

Testifying: Rona Augustine-Chun, Chancellor of Med-Assist School of Hawaii

Honorable Chairperson and Members of these Committees:

My name is Rona Augustine-Chun, Chancellor of Med-Assist School of Hawaii, a Private Vocational Postsecondary School currently licensed by the Department of Education, State of Hawaii. Med-Assist School of Hawaii is accredited by the nationally accredited Department of Education (DOE) accredited agency called ABHES- Accrediting Bureau of Health Education Schools since 1974. Our majority of students that qualify rely on Federal Financial Aid Title IV Aid. Accreditation of the school is a mandatory requirement in order to for students to be eligible to apply for the FASFA in order to be considered to be eligible for Federal Financial Aid IV Aid in the form of grants and loans for tuition and cost of attendance.

As representative of the school, we oppose the transference of Private Trade, Vocational and Technical School licensure from the (DOE) Department of Education to the (DCCA) Department of Commerce and Consumer Affairs and have communicated with several licensed schools that also oppose the transference.

Here are some facts that can have profound impact your decision.

1) There is a great NEED in our community for vocational, trade, and technical schools. One example is our healthcare industry. All over the nation there is a shortage of certified healthcare personnel. One of the occupations in need is certified Medical Assistant based on the U.S. Labor and statistics and the number of our aging population. We get daily calls asking us for more graduates for the NEED is NOW. 2) With rising expenses and timely procedures of operating a Private Postsecondary School and the limits of Federal Financial Aid for the consumer, we at Med-Assist School of Hawaii struggle to supplant the Hawaii's NEED for quality certified healthcare professionals. We can only imagine how the other Private Trade, Vocational and Technical Postsecondary Schools can operate with stringent and mandated standards. 3) Documentation through surveys, statistics and annual accreditation reports reveal that Private Trade, Vocational and Technical Postsecondary Schools and all of our students (the consumers) stand to lose the greatest if the transfer occurs. 4) The nature of the "business" of the Department of Education is to review, recommend, and approve "education" that would mean quantifying and qualifying curriculum and required. 5) The nature of the "business" for Department of Commercial and Consumer Affairs is to regulate and license more than 140,000 professionals, and monitor the financial solvency of local banks and insurance companies, and investigate complaints of fraudulent and unfair business practices. 6) The cost is exuberant and

fictitious (no evidence of what the fee will specifically cover). 7) At times when enrollment is low, the schools are struggling to break even and a \$10k licensing fee can force some of the businesses to claim bankrupt or go out of business. 8) Hawaii residences will have less access to vocational training thus forcing many to move and less opportunity for vocational training.

The State of Hawaii Department of Education (DOE) has efficiently reviewed and licensed private postsecondary schools for past 76 years. Forty-two years of which Med-Assist School of Hawaii has been licensed since it was first established and incorporated as a viable school in 1974. The Hawaii State of Hawaii DOE has done an excellent job for decades and is very experienced in the area of curriculum review and authenticating qualified personnel. We, the schools are asking the legislature to recommend that the concentration of a few of the DOE staff hours to keep our schools licensed under the DOE (Perhaps, a reasonable increase in fees would be a better solution). The DOE personnel perform this task well since they are already qualified. Why change?

As stated prior, the DOE's responsibility is to enforce and communicate standards, some of them the highest standards in the nation, helping the schools in Hawaii grow. Without the continuous reviews of DOE staff, the school would not meet national accreditation required of Federal Financial Aid. The DCCA does not review the history of instructor employment and certification of educators in postsecondary schools.

They do not require TB test of all school staff and for the students to have MMR clearances.

Every two years all accredited schools are required to be updated and have curriculum reviewed providing that we have adequate number of faculty that are qualified in their field of study. Will the DCCA provide time to review and train to assist schools in these ways and all of the other ways the DOE does? **We are academic institutions. Education belongs under the jurisdiction of the DOE. Please do not change what the DOE provides.**

COST

It is my understanding that DCCA State Authority Program currently charges the degree granting Schools \$10,000.00 a year. DCCA is testifying that their current charges are not enough and they would have to charge the Postsecondary schools much more. This bill does not even state how much! DCCA would need to create a new executive who would require a high salary and a clerk or two to do much of the work creating new forms and determining how to accomplish the task. WHY? The DOE has been doing the Job well at no humongous cost.

Hawaii taxpayers fund community colleges and the University of Hawaii. Our private schools train students because here are not enough programs at the state colleges to cover the diverse education that is offered at the postsecondary trade schools. We are not asking for help with maintenance of our buildings or faculty pay or retirement or any of that. We are asking for a little time and expertise from a couple of DOE staff to keep our schools up to state standards and to give our schools the credibility and the pride that comes with certification by the state

DOE. We enroll students, train them well and pay taxes on our income and faculty salaries. To make the schools pay exorbitant fees to exist in this state, fees that will dwindle down to the students (your taxpayers or children of taxpayers), and will close good schools that cannot afford the fees is really taxation without representation for the little people. All of the licensed schools pay taxes that go into the state coffers that sponsor the DOE. Can we get a little help back? **Please vote AGAINST this bill.**

HB2454

Submitted on: 2/4/2016

Testimony for EDN on Feb 5, 2016 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Raphiell Nolin	Maui School of Therapeutic Massage	Oppose	No

Comments: I have been an instructor at the Maui School of Therapeutic Massage for 20 years. I oppose transferring control of vocational schools from the DOE to the DCCA. Many of our graduates would not be able to get licensed in other states, which require training in a DOE approved school. We would lose a lot of business because of that. The DCCA can barely handle issuing and renewing licenses, let alone approving school curriculum, which is best left to the DOE. The DCCA has repeatedly shown their ineptness over the years and the DOE has demonstrated much competence in regulating schools. Please let that continue..

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

To: The House Committee on Education, Regular Session of 2016

Representative Roy M. Takumi, Chair
Representative Takashi Ohno, Vice Chair

Testimony RE: House Bill 2454: Relating to Licensing of Private Trade, Vocational and Technical Schools

Friday, February 5, 2016

Testifying: Naomi Digitaki, President/CEO, Hawaii Technology Institute

Honorable Chairperson and Members of the Education Committee:

I am Naomi Digitaki, President/CEO of Hawaii Technology Institute (HTI). HTI is currently licensed by the Hawaii Department of Education as a Private Trade, Vocational and Technical School.

I strongly oppose the transference of Private Trade, Vocational and Technical School licensure from the Department of Education to the DCCA.

The DOE has done a remarkable job in reviewing and licensing private postsecondary schools for decades. These private trade, vocational and technical schools are asking the Hawaii State Legislature to keep the responsibilities of licensing our schools under the DOE.

The DCCA has neither the expertise nor the genuine interest to nurture and develop small schools and support their growth in aiding Hawaii's job market and economy through technical, trade and vocational education. Over the past decades, DOE has done an outstanding job of licensing private technical, vocational and trade schools and in turn these schools have been instrumental in helping students who need to acquire marketable skills without having to spend two to four years in college.

With the continuous reviews, support and guidance of DOE staff over the past three decades, Hawaii Technology Institute has been able to graduate thousands of students from underserved and underprivileged populations. These graduates have gone on to improve the quality of lives of their families and communities through vocational training and education. Indeed, our many student successes and achievements have been made possible with the support and guidance of the DOE!

Will the DCCA make time to help schools in myriad ways that DOE has so remarkably done over the past several decades?

Does DCCA have educating Hawaii's people at the core of its mission or will making money and the commercialization of education become DCCA's focus?

We are schools. We are educational institutions. Education belongs under the jurisdiction of the DOE. Please keep the functions and responsibilities of licensing the schools with DOE!

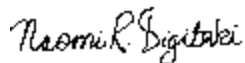
DCCA currently charges degree granting schools thousands of dollars more than DOE's licensing fees! There is also the possibility of DCCA further increasing licensing fees. With DCCA's "commercial" licensing fees and "commercial" approach to education, some private trade, vocational and technical Schools in Hawaii will likely experience undue financial burden and possible closures under DCCA.

What is going to happen to the thousands upon thousands of students whose educational and training needs are met by vocational schools and **NOT** by 2-4 year colleges and universities should closures ensue as a result of licensing transfer from DOE to DCCA? The negative economic and social reverberations of such closures will impact and infiltrate our communities in incalculable ways!

With DOE's licensing and expert guidance and assistance, private trade, vocational and technical schools in Hawaii have been able to help their students make speedy transitions into the workplace with marketable skills within a short period of time in comparison to 2-4 year colleges and universities. Indeed, schools like ours fill a niche that colleges and universities **do not** adequately address.

Our request is simple: Please keep the licensing of our schools with DOE!

Sincerely,



Naomi Digitaki
President/CEO
Hawaii Technology Institute
1130 N. Nimitz Highway, Suite A-226
Honolulu, Hawaii 96719
Phone 808 321-5354

HB2454

Submitted on: 2/4/2016

Testimony for EDN on Feb 5, 2016 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Terry Mejia	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Date: February 4, 2016

To: The House Committee on Education Thirtieth Legislature, Regular Session of 2016 Representative Roy M. Takumi, Chair Representative Takashi Ohno, Vice Chair

From: Nancy S Kahalewai, LMT – License MAT 697 (April 1977)

Testimony RE: House Bill 2454 Relating to the Licensing of Private Trade, Vocational and Technical Schools

Friday, February 5, 2016

Testifying: Nancy S Kahalewai, LMT, a former owner/founder of a DOE Licensed Massage School in Kona

Honorable Chairperson and Members of these Committees:

I am Nancy Kahalewai, a current Hawaii Licensed Massage Therapist (1977) and former owner/founder of a licensed massage school in Kona (Hawaiian Islands School of Massage, 1984) by the Department of Education, State of Hawaii, which was the first licensed school on the Big Island. This licensure gave the school and its students an opportunity for ongoing national and international recognition that was (and perhaps still is) not attainable through the DCCA.

I am hugely concerned about the transference of Private Trade, Vocational and Technical School licensure from the Hawaii Department of Education to the DCCA and have communicated with several licensed schools that strongly oppose this transference.

In my opinion, the primary reason is that, to date, the DCCA has been predictably very unresponsive, unprogressive, and almost dysfunctional for administering and processing the various applications and needs of this hugely growing field. As well, there is a huge, growing national and international realm of licensed therapists and qualifications pertaining to soft tissue bodywork that the DCCA is not aware of, much less in a position to accurately administer over.

Private Postsecondary Schools and their students stand to lose a lot if the transfer occurs. The Department of Education has efficiently reviewed and licensed private postsecondary schools for approx. 76 years, including mine back in the 1980s. The DOE has done the job well for decades and is very experienced in this area. On the other hand, to date, the DCCA remains almost clueless as to what the massage industry needs—not only within Hawaii, but nationally and internationally as well. This is an outdated perception of the therapeutic massage industry that will hold back our students as well as schools.

I currently do not have a school in Hawaii, nor any financial interest in any school or training program. Yet I must share my mana‘o on the subject due to the decades that I went through this. The DCCA does not have the interest, knowledge and expertise to help small, private schools grow. This is a huge disadvantage to students as well as the industry in general.

Apparently, the DCCA Authority was created in a scramble a few years ago because it was learned that the large degree granting colleges had given up the State authority that was necessary to keep financial aid for their students and the federal USDOE required immediate authority in the state to teach postsecondary students. Is this true? Perhaps the DCCA is dealing with managers of large corporate degree granting schools, but not our local, small schools. The DCCA protects the public, as it should, making sure basic requirements in qualifications, trainings, establishments and hygiene are in place. The DOE, however, is dedicated to helping students and has a larger perspective. It also provides national and international recognition that the DCCA cannot.

I suspect that the DCCA will limit the types of schools that may apply for approval. How are schools expected to begin and grow? DOE allows exceptions until a school is large enough to need their help, but does not stop anyone from applying. The current massage apprenticeship standards by contrast are very outdated.

Based on a recent review of the New Mexico Board of Massage, for example, the Hawaii teacher certification is virtually non-existent, thus does not does effectively review the history of instructor employment nor have the ability to accurately certify teachers to teach in postsecondary massage vocational schools.

Currently, every two years DoE schools must update and report their curriculum and assure they have adequate instructors. Will the DCCA be able to help schools in these ways and all of the other ways the DOE regulates? Turning over the paperwork is one thing; gaining the expertise to teach the Schools what they must know and do is another. These are national/international Educational Institutions that will be affected. Education belongs under the jurisdiction of the DOE.

For decades now, the DoE has wanted to transfer this to the DCCA. I can't help but wonder why?? What is this new proposal based upon?? I know for a fact that the current "workshop and massage apprenticeship program" is way outdated, having been written in the 1970s, and that students who do complete it and get Hawaii licensed are left with a license/paper that is virtually worthless outside of Hawaii.

This is no longer acceptable. Hawaii has fallen way behind the national curve, and it is a bit embarrassing, to be frank.

Thank you for hearing and considering this testimony and I am available for questions.

Nancy S Kahalewai, LMT

MAT 697 (1977); DOE Instructor/Principal (Kona, 1986); NCTNB certified (1994); New Zealand Educator (Diploma of Adult Ed and Training, 2012); World Massage Festival Inductee (2013).

Email: islandmoonlight@gmail.com

HB2454

Submitted on: 2/4/2016

Testimony for EDN on Feb 5, 2016 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
chip frank	Individual	Oppose	No

Comments: Dear Legislators, Please leave the licensing of private trade, vocational & technical schools with the dept. of Education. I oppose the transfer to the DCCA. The satudy and art of Massage therapy is educational not just licensing. Sincerely, Chip Frank

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

I am Ernesto Prado Licensed Massage Therapist of the Hawaii State No MAT 9365. I am STRONGLY OPPOSITE to the HB2454 Bill. All the Massage School of Hawaii and specially Maui School of Therapeutic Massage where I graduated 10 years ago must be on the Department of Education. MTSM has been one of the most recognized schools of massage in Hawaii. This School has received hundreds of locals and international students. MTSM excel the expectations due its high levels and qualified professionals teachers. This school and all of the Massage Schools in Hawaii has national and international reputation. The schools must be under the supervision of the of the Department of Education, this is the right branch of the public administration, any branch has its own scope and this is the right for Massage Schools. Education is education not matter what are your teach, in this case is high sensitive because this are related to health and heeling. I do not believe that the Consumer Affairs is the office that can supervised the education.

This Bill will let out the Education System all the Schools in Hawaii, putting aside the massage training like a driver license issue.

Ernesto Prado (Mat 9365)

Jenna Takenouchi

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 05, 2016 11:38 AM
To: EDNtestimony
Cc: info@courtneybruch.com
Subject: Submitted testimony for HB2454 on Feb 5, 2016 14:00PM

HB2454

Submitted on: 2/5/2016

Testimony for EDN on Feb 5, 2016 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Courtney Bruch	Individual	Oppose	No

Comments: I have been a licensed massage therapist in Hawaii for over 10 years and oppose this bill. Please do not support

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov