

# SB2976

Measure Title: RELATING TO LICENSING OF PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOL.

Report Title: Private Trade, Vocational, and Technical Schools; Department of Education; Department of Commerce and Consumer Affairs

Description: Transfers administration of 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.

Companion: [HB2454](#)

Package: None

Current Referral: EDU/CPH, WAM

Introducer(s): KIDANI, SHIMABUKURO, English, Keith-Agaran, Wakai



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

**Date:** 02/12/2016  
**Time:** 12:30 PM  
**Location:** 229  
**Committee:** Senate Education Senate  
Commerce, Consumer Protection, and Health

**Department:** Education

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

**Title of Bill:** SB 2976 RELATING TO LICENSING OF PRIVATE TRADE,  
VOCATIONAL, AND TECHNICAL SCHOOL.

**Purpose of Bill:** Transfers administration of 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.

**Department's Position:**  
\*AMENDED TESTIMONY\*

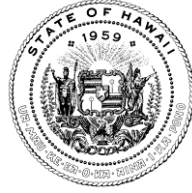
The Department of Education (Department) supports SB 2976.

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.

The Department is willing to continue to work together with DCCA and with all legislative chairs towards a mutually agreeable resolution on this measure.

Thank you for this opportunity to provide testimony on SB 2976.



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

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

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

TO THE SENATE COMMITTEE ON EDUCATION  
AND  
TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION, AND HEALTH

TWENTY-EIGHTH LEGISLATURE  
Regular Session of 2016  
Friday, February 12, 2016  
12:30 p.m.

**TESTIMONY ON SENATE BILL NO. 2976, RELATING TO LICENSING OF PRIVATE  
TRADE, VOCATIONAL, AND TECHNICAL SCHOOL.**

TO THE HONORABLE MICHELLE N. KIDANI, CHAIR,  
TO THE HONORABLE ROSALYN H. BAKER, CHAIR,  
AND MEMBERS OF THE COMMITTEES:

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 Senate Bill No. 2976, Relating to Licensing of Private Trade, Voctional, and Technical School.

Senate Bill No. 2976 provides for the transfer of regulatory oversight of private trade, vocational, and technical (“PTVT”) schools from the Department of Education (“DOE”) to DCCA.

Per Senate Concurrent Resolution No. 46, S.D. 2 of 2015 (“SCR46”), DCCA and DOE worked collaboratively to gather information on and to review DOE’s program for licensing PTVT schools (“Program”) (i.e., survey of PTVT schools, interview of licensees, review of current laws and rules). Based on input from currently operating PTVT schools, the Program appears to be continuing to operate successfully without major criticism from licensees. DOE timely processes license applications and renewals, and past/present staff have remained knowledgeable and diligent in providing the assistance needed. Further, there does not appear to be the need for either heightened consumer protections in this area or a greater role for DCCA.

By contrast, DCCA is concerned that transferring the Program as proposed 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 DOE to help that agency effectively manage its educational oversight responsibilities.

DOE, as the long-time administrator of this Program and the department whose mission is education, still appears to be the appropriate agency to continue overseeing PTVT schools and the educational services they provide. Chapter 302A, Hawaii Revised Statutes (“HRS”), requires the Program to review things like standards and method of instruction, and equipment provided. DOE’s administrative rules for the Program provide for site inspection, and approval of curriculum of PTVT schools. Further, trade/vocational/technical education, like the State’s adult education program,

is an accepted part of DOE's mandate, as evidenced by a number of measures introduced this legislative session.<sup>1</sup>

In addition, DOE has in-house expertise in educational licensing via the Hawaii Teachers Standards Board<sup>2</sup> ("HTSB") that could be a valuable resource to DOE and the Program. HTSB 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.

DCCA, on the other hand, is unfamiliar with the state and federal laws, rules, and industry standards that would apply to a qualitative oversight of PTVT schools.

Just as important, the Program review per SCR46 did not uncover significant problems that would necessitate a transfer. 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 either increased DCCA involvement beyond the protections that are already set up in the State's consumer protection laws or a full transfer.

DCCA has offered a number of solutions through the SCR46 review process to help streamline DOE's Program in lieu of a full transfer. These solutions included revising existing statutes and rules to eliminate unnecessary procedures, increase fees,

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<sup>1</sup>See 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).

<sup>2</sup>HRS § 302A-801(b) states that the HTSB 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."

and provide 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 DOE for administering the Program. DCCA also expressed a willingness to provide appropriate assistance to Program staff. Without more apparent issues for the DOE Program, no other actions seem necessary.

DCCA is concerned that a transfer 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. DOE currently assesses licensing fees of \$100 (initial application) and \$50 (renewal application) for each of its roughly 30 PTVT school licensees. DCCA operates under a funding model different from 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.<sup>3</sup>

Establishing and operating a new 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.<sup>4</sup> Many of the existing PTVT schools are smaller operations with a limited number of students to shoulder the

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<sup>3</sup>See *HIC v. Lingle*, 120 Hawaii 51, 201 P.3d 564 (2008).

<sup>4</sup>As 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, with additional fee adjustments pending 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.

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.

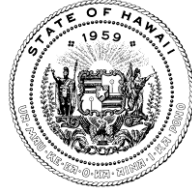
It is unclear what value the proposed transfer would provide to the State or PTVT schools and their students. Without more evidence of potential consumer harm, it is unclear to DCCA what additional protections a transfer would create, while it does appear that educational quality within the PTVT schools could be diminished.

DCCA believes alternative solutions, such as those DCCA proposed in the joint SCR46 report to the Legislature,<sup>5</sup> will best assist 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 Committees may have.

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<sup>5</sup><http://cca.hawaii.gov/wp-content/uploads/2015/12/SCR46-Report.pdf>.



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TO THE HONORABLE ROSALYN H. BAKER, CHAIR,  
AND MEMBERS OF THE COMMITTEES:

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is an accepted part of DOE's mandate, as evidenced by a number of measures introduced this legislative session.<sup>1</sup>

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Just as important, the Program review per SCR46 did not uncover significant problems that would necessitate a transfer. 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 either increased DCCA involvement beyond the protections that are already set up in the State's consumer protection laws or a full transfer.

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DCCA is concerned that a transfer 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. DOE currently assesses licensing fees of \$100 (initial application) and \$50 (renewal application) for each of its roughly 30 PTVT school licensees. DCCA operates under a funding model different from 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.<sup>3</sup>

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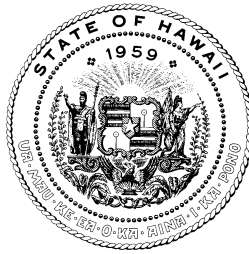
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DCCA believes alternative solutions, such as those DCCA proposed in the joint SCR46 report to the Legislature,<sup>5</sup> will best assist DOE in administering the Program without also creating significant disruption to the operations of PTVT schools 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 Committees may have.

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**TESTIMONY OF JAN K. YAMANE, ACTING STATE AUDITOR,  
ON SENATE BILL NO. 2976  
RELATING TO LICENSING OF PRIVATE TRADE,  
VOCATIONAL AND TECHNICAL SCHOOL**

**Senate Committees on Education and  
Senate Committee on Commerce, Consumer Protection, and Health**

February 12, 2016

Chairs Kidani, Baker, and Members of the Committees:

Thank you for the opportunity to testify in support of SB 2976. 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 SB 2976.



To: COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH.

THE TWENTY-EIGHTH LEGISLATURE  
REGULAR SESSION OF 2016

Senator Rosalyn H. Baker, Chair  
Senator Michelle N. Kidani, Vice Chair

Testimony RE: Senate Bill 2976  
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 certified by the Federal Department of Education to administer 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 .

My students who graduate as Travel Agents, Ticket Agents, Reservationist, Hotel Front Desk and Chefs are not subject to any type of Board Licensing. It makes no sense to have the licensing of our school fall under the jurisdiction of the Regulatory Boards at DCCA. We are a school, and as such oversight should remain with the Department of Education.

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. The expertise to administer the licensing of vocational schools is clearly with the Department of Education.

I am asking the Legislature to leave this process where it belongs, with the Department of Education. 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  
Gros Bonnet Culinary Academy

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Twenty eighth Legislature, Regular Session of 2016

To: The Senate Committee on Education and Committee on Consumer Protection  
Senator Michelle N. Kidani, , Chair Senator Roslyn Baker, Chair  
Senator Breen Harimoto, Vice Chair Senator Michelle N. Kidani, Vice Chair

Testimony RE: Senate Bill 2976  
Relating to the Licensing of Private Trade, Vocational and Technical Schools

Friday, February 12, 2016, 12:30 PM  
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 in documentation 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.

Education is becoming more recognized as helping the economy. The Department of Education helps these private postsecondary schools grow which helps the people of Hawaii make a good living. This transference of agencies would hold back the growth of new schools that are not yet established or large enough to apply for the VA and other local sources of financial aid that require licensure.

The standards schools are required to meet to remain licensed by the DOE keep schools honest, viable and proud of their achievement. That is why very few student complaints must be reviewed. Regulation by DCCA does not instill the same pride.

Please kill bill HB 2454. Thank you for the opportunity to be heard.

Leo Williams,  
Hawaii Institute of Hair Design.



Twenty eighth Legislature, Regular Session of 2016

To: The Senate Committee on Education and Committee on Consumer Protection  
Senator Michelle N. Kidani, Chair Senator Roslyn H Baker, Chair  
Senator Breene Harimoto, Vice Chair Senator Michelle N. Kidani, Vice Chair

Testimony RE: SB 2976

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

Friday, February 12, 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.**

**FEDERAL GRANTS AND LOANS.** PLEASE do not risk our student's ability to receive the Pell Grant or Student Loans. This transference will Jeopardize the receipt of federal financial aid at the Accredited Postsecondary Schools because the DCCA Boards, well known for working slowly, must **immediately** set up some rigid guidelines for schools, following the Federal requirements. The methods in which change is introduced to the Board Rules and laws is a very slow process. During the long delay to accomplish the process, Accredited schools could lose Financial Aid for their students. The USDOE has a Program Integrity rule that requires the Accredited Schools to be licensed or authorized by the State to teach Postsecondary education in order to be certified to receive financial aid. The state licensure program must have a method for solving student complaints and have a strict monitoring program. **Schools licensed under the Hawaii Department of Education smoothly received USDE Recertification for financial aid with DOE approval.** The Board of Cosmetology has not yet been approved by USDE but luckily received extensions to the rule because they have been working on getting the schools they license authorized to teach postsecondary education. Extensions have been granted for two and a half years (since the deadline of July, 2014) and the USDOE should be discontinuing extensions soon. The DCCA works very slowly. Everything has to be created and approved by the Boards which meet only once a month (if that often), then be set up and put in a public hearing to change Board Rules. New rules and methods created by the boards are sent to United States

Department of Education for approval or a request from USDE for more changes, starting the cycle again!.

Private Postsecondary Schools and their students stand to lose a lot if the transfer and these delays occur. 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. Please do not approve this bill. Please protect the 70 students in our school, and all of the students in all of the accredited schools licensed under the Department of Education.

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.**

#### **COST**

DCCA would have to spend money on staff, storage and the construction of a new programs for the Boards that could not possibly work as well as the DOE program.

Hawaii Taxpayers, thru the state, sponsor education at Community colleges and the University of Hawaii. Our private 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. We contribute to the economy and train students to serve the public safely and well. 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, Hono, Hawaii 96817 Phone 808 533-6596

To: The Senate Committee on Education

Senator Michelle N. Kidani, Chair, Senator Breene Harimoto, Vice Chair

Committee on Commerce, Consumer Protection, and Health

Senator Rosalyn H. Baker, Chair, Senator Michelle N. Kidani, Vice Chair

28th Legislature, Regular Session of 2016

Testimony RE: **Senate Bill 2976**,

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

Wednesday, February 10, 2016

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

Honorable Chairperson and Members of these Committees:

I am Dr. 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 strongly oppose the transference of Private Trade, Vocational, and Technical School licensure from the Department of Education to the DCCA. I specifically oppose transference of licensure for massage schools to the Board of Massage.**

The following outlines some of the reasons for my opposition.

1. Our schools are educational institutions that belong under the DOE, which is already knowledgeable about education and instruction and already has a streamlined application process. The Board of Massage licenses massage therapists and massage establishments, not schools. We are a massage school, not a massage establishment. The Board of Massage is poorly suited for this task.
2. 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 could obtain financial aid. Without certification from the

DOE, accreditation, and thus financial aid, won't be possible.

3. Removing the DOE license will reduce the credibility of the school in the eyes of the public. 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. I bought this school two years ago because it had the prestige of being a DOE-licensed school—I would not have made such an investment otherwise.
4. Moving licensing to DCCA will likely incur additional fees that would be passed onto students, which in many cases would prevent them from taking this first step in their career.
5. Our license with the DOE is valid until August 31, 2017, and we worked hard to complete our applications last year in order to receive this 2-year license for both the school and all of our instructors. This bill wants to hit the reset button on July 1, 2016. Not only does this completely disrespect the hard work put into getting the last application approved, but it sets a completely unrealistic and unfair goal of making the schools learn a whole new application process and submit it in a short period of time. Furthermore it would not be possible for a new agency to create all the forms and procedures necessary in time to have schools approved by July 2016.
6. The Board of Massage has an infamous reputation of being very unresponsive, behind the times, and consistently dysfunctional in its administrative duties (e.g. losing materials, taking weeks to respond and process requests, having unfriendly and unhelpful staff, sending outdated information, etc.). Why give them additional duties that they are not suited for when they are already at capacity? The DOE already has a smooth and streamlined process, so leave the licensing with DOE.

Please defeat this bill. Thank you for considering this testimony.

Mark Olson, Ph.D.

Director, Pacific Center for Awareness and Bodywork

PO Box 1049, Kilauea, HI 96754

[www.awarenessandbodywork.com](http://www.awarenessandbodywork.com)

To: The COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH.  
Twenty Eighth Legislature  
Regular Session of 2016

Senator Rosalyn H. Baker, Chair  
Senator Michelle N. Kidiani, Vice Chair

Testimony RE: SB 2976  
RELATING TO LICENSING OF PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOL

Friday, February 12, 2016

Testifying: Sherilynn Antonio, Zaimana Fernandez, Jennifer Wong, and Morgan Compart

Honorable Chairperson and Members of these Committees:

We represent the students of Med-Assist School of Hawaii, a private vocational postsecondary school currently licensed by the Department of Education, in the State of Hawaii. Med-Assist School of Hawaii has been accredited by the Accrediting Bureau of Health Education Schools (ABHES) under the Department of Education (DOE) since 1974. The majority of our students rely on Federal Financial Aid Title IV Aid, as they come from lower income families. Accreditation of the school is a mandatory requirement in order for the students to be eligible to apply for FASFA and be considered for Federal Financial Aid IV Aid in the form of grants and loans for tuition and the costs of attendance.

**As residents of Hawaii and students of Med-Assist School of Hawaii, we adamantly 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. We have communicated with several licensed schools that also oppose the transference.**

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

1) It is imperative that our Hawaii Ohana has vocational, trade, and technical schools. For example, the U.S. Bureau of Labor and Statistics lists the healthcare industry as an industry with a shortage of workers. Combined with our aging population of baby boomers, Medical Assistants will be one of the most in-demand jobs in the labor market over the next decade. Our school provides the much needed service of graduating Medical Assistants, and we get calls daily from hospitals and doctor's offices asking for our qualified graduates. The passing of this bill will make it harder for us to provide the Hawaii healthcare industry with those graduates. With the foreseeable demand for healthcare professionals increasing in the not too distant future, the least advisable thing to do would be to make Hawaii's supply of Medical Assistants decrease. Unfortunately, that is exactly what this bill will do if passed.

2) The rising costs of attending a private postsecondary school are felt by everyone in the community, especially the students. Further limits on Federal Financial Aid make it even harder for us to attain this much needed degree, along with our peers in other vocational schools. The

added cost of this bill will be felt most harshly by us, the students. It is an unnecessary cost that we should not have to suffer because of political bickering.

3) The transference of licensure for private trade, vocational, and technical schools from the Department of Education (DOE) to the Department of Commerce and Consumer Affairs (DCCA) will adversely affect the students of these institutions the most, according to documentation through surveys, statistical analyses, and annual accreditation reports. The most vulnerable, in this case the students, are the most affected.

4) The Hawaii State Department of Education's mission statement is, "We serve our community by developing the academic achievement, character, and social-emotional well-being of our students to the fullest potential. We work with partners, families, and communities to ensure that all students reach their aspirations from early learning through college, career, and citizenship." This mission statement exemplifies the goals and morale of Med-Assist School of Hawaii. It aligns nicely with our mission statement, "We firmly believe that a student centered approach fully acknowledges the inherent potential of each student aspiring to learn. Med-Assist School of Hawaii's mission is to educate and train Medical Assistants and Medical Coders who will provide quality service to their patients and fellow healthcare professionals." We both view the student's well-being and education as imperative. Med-Assist School of Hawaii is a school, not a business. It is these similarities that we share with the Hawaii State Department of Education that fosters the learning environment we need to grow as medical professionals.

5) The Department of Commercial and Consumer Affairs has a very different nature. Their mission statement reads, "The hardworking men and women of the DCCA serve the public through a variety of functions, including regulating and licensing more than 140,000 professionals, monitoring the financial solvency of local banks and insurance companies, and investigating complaints of fraudulent and unfair business practices." In practice and on paper, the DCCA does not represent the interests of Hawaii's students or their postsecondary institutions. Again, Med-Assist School of Hawaii is a School, not a license on a piece of paper. The HSDOE recognizes and cares about the real world concerns of Hawaii students and institutions. The DCCA does not.

6) Coupled with the inattention from the DCCA, the new exuberant and fictitious cost imposed in the bill (no evidence is offered of what this fee will specifically cover) will greatly reduce our school's ability to maintain our standard of excellent education. A weakening economy has reduced student enrollment across the board. This added \$10,000 fee will force many vocational and postsecondary schools into bankruptcy. This will cascade into a shortage of Hawaii vocational training institutions, and put us at a disadvantage when compared to the rest of the nation. It is not in Hawaii's best interest to pass this bill.

The Hawaii State Department of Education has licensed private postsecondary schools for the past 76 years, forty-two of which Med-Assist School of Hawaii has been licensed. The experience learned in three quarters of a century cannot be taught during a two week

transitory period. The fumbling transition will potentially cost the students, the institutions, and Hawaii the next generation of skilled workers. We the students, are humbly asking the legislature to veto this bill that is so diametrically opposed to the education industry.



To: The COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH.  
Twenty Eighth Legislature  
Regular Session of 2016

Senator Rosalyn H. Baker, Chair  
Senator Michelle N. Kidiani, Vice Chair

Testimony RE: SB 2976  
RELATING TO LICENSING OF PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOL

Friday, February 12, 2016

Testifying: Joyce Hirota, Skye Penera, Anela-Jazmine, Allen Gorion, and Nicolette Baradi

Honorable Chairperson and Members of these Committees:

We represent the students of Med-Assist School of Hawaii, a private vocational postsecondary school currently licensed by the Department of Education, in the State of Hawaii. Med-Assist School of Hawaii has been accredited by the Accrediting Bureau of Health Education Schools (ABHES) under the Department of Education (DOE) since 1974. The majority of our students rely on Federal Financial Aid Title IV Aid, as they come from lower income families. Accreditation of the school is a mandatory requirement in order for the students to be eligible to apply for FASFA and be considered for Federal Financial Aid IV Aid in the form of grants and loans for tuition and the costs of attendance.

**As residents of Hawaii and students of Med-Assist School of Hawaii, we adamantly 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. We have communicated with several licensed schools that also oppose the transference.**

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

1) It is imperative that our Hawaii Ohana has vocational, trade, and technical schools. For example, the U.S. Bureau of Labor and Statistics lists the healthcare industry as an industry with a shortage of workers. Combined with our aging population of baby boomers, Medical Assistants will be one of the most in-demand jobs in the labor market over the next decade. Our school provides the much needed service of graduating Medical Assistants, and we get calls daily from hospitals and doctor's offices asking for our qualified graduates. The passing of this bill will make it harder for us to provide the Hawaii healthcare industry with those graduates. With the foreseeable demand for healthcare professionals increasing in the not too distant future, the least advisable thing to do would be to make Hawaii's supply of Medical Assistants decrease. Unfortunately, that is exactly what this bill will do if passed.

2) The rising costs of attending a private postsecondary school are felt by everyone in the community, especially the students. Further limits on Federal Financial Aid make it even harder for us to attain this much needed degree, along with our peers in other vocational schools. The

To: The COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH.  
Twenty Eighth Legislature  
Regular Session of 2016

Senator Rosalyn H. Baker, Chair  
Senator Michelle N. Kidiani, Vice Chair

Testimony RE: SB 2976  
RELATING TO LICENSING OF PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOL

Friday, February 12, 2016

Testifying: Roxanne Highland, Cheyenne Yadao, Michelle Miguel, and Dajah Foy

Honorable Chairperson and Members of these Committees:

We represent the students of Med-Assist School of Hawaii, a private vocational postsecondary school currently licensed by the Department of Education, in the State of Hawaii. Med-Assist School of Hawaii has been accredited by the Accrediting Bureau of Health Education Schools (ABHES) under the Department of Education (DOE) since 1974. The majority of our students rely on Federal Financial Aid Title IV Aid, as they come from lower income families.

Accreditation of the school is a mandatory requirement in order for the students to be eligible to apply for FASFA and be considered for Federal Financial Aid IV Aid in the form of grants and loans for tuition and the costs of attendance.

**As residents of Hawaii and students of Med-Assist School of Hawaii, we adamantly 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. We have communicated with several licensed schools that also oppose the transference.**

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

1) It is imperative that our Hawaii Ohana has vocational, trade, and technical schools. For example, the U.S. Bureau of Labor and Statistics lists the healthcare industry as an industry with a shortage of workers. Combined with our aging population of baby boomers, Medical Assistants will be one of the most in-demand jobs in the labor market over the next decade. Our school provides the much needed service of graduating Medical Assistants, and we get calls daily from hospitals and doctor's offices asking for our qualified graduates. The passing of this bill will make it harder for us to provide the Hawaii healthcare industry with those graduates. With the foreseeable demand for healthcare professionals increasing in the not too distant future, the least advisable thing to do would be to make Hawaii's supply of Medical Assistants decrease. Unfortunately, that is exactly what this bill will do if passed.

2) The rising costs of attending a private postsecondary school are felt by everyone in the community, especially the students. Further limits on Federal Financial Aid make it even harder for us to attain this much needed degree, along with our peers in other vocational schools. The

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**SB2976**

Submitted on: 2/10/2016

Testimony for EDU/CPH on Feb 12, 2016 12:30PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Alexanyan	Individual	Oppose	No

Comments:

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**SB2976**

Submitted on: 2/11/2016

Testimony for EDU/CPH on Feb 12, 2016 12:30PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Searles	Individual	Oppose	No

Comments: I oppose

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**SB2976**

Submitted on: 2/10/2016

Testimony for EDU/CPH on Feb 12, 2016 12:30PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
donna toley	Individual	Oppose	No

Comments:

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**SB2976**

Submitted on: 2/10/2016

Testimony for EDU/CPH on Feb 12, 2016 12:30PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Erin McDonald	Individual	Oppose	No

Comments:

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**SB2976**

Submitted on: 2/10/2016

Testimony for EDU/CPH on Feb 12, 2016 12:30PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eve Dion	Individual	Oppose	No

Comments:

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**SB2976**

Submitted on: 2/10/2016

Testimony for EDU/CPH on Feb 12, 2016 12:30PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
joshua	Individual	Oppose	No

Comments:

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**SB2976**

Submitted on: 2/11/2016

Testimony for EDU/CPH on Feb 12, 2016 12:30PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
martha spence	Individual	Oppose	No

Comments: I oppose

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To: The COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH.  
Twenty Eighth Legislature  
Regular Session of 2016

Senator Rosalyn H. Baker, Chair  
Senator Michelle N. Kidiani, Vice Chair

Testimony RE: SB 2976  
RELATING TO LICENSING OF PRIVATE TRADE, VOCATIONAL, AND TECHNICAL  
SCHOOL

Friday, February 12, 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. The bottom line is that this will have an ultimate ripple effect that will impact consumers especially in the healthcare industry which means ALL of us.

Here are some facts that can have profound impact on 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 funding 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 already.

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.

Academic schools incur the fee and the long process to wait to be approved by a "board" that is not yet in existence that may incur a "gross" fee. The fee is then passed down to the student (consumer), passed the healthcare employer (consumer), and then passed to patient (consumer), etc. Think about it.

The annual (or even bi annual) process through the Department of Education is direct with the review of required documents from qualified personnel and then an approval straight back to the academic institution versus a certain paid board of people who will get paid handsome wages who may or may not be qualified because they will be selected based on someone's opinions (subjective vs. objective). After the "qualified" board meets (selection will be a lengthy process), and then what? What protocols will be in place ensure quality education and knowledge of the professional to its extend? What measures do you or will you have to ensure these are highly trained professionals that will serve the community (consumers) well in order to meet the standards of the profession?

Ask yourselves these questions before you decide our "fate", the "fate" of our students, the "fate" of physicians and healthcare industry employers, and the "fate" of our patients- all of whom are consumers.

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.

How can DCCA approve curriculum when it is the not in their nature to do so?

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 (potential students) will have less access to vocational training because if the DCCA is granted then fees and long approval times will force yet another long standing and reputable business to close and thus students (consumers) will need to move and seek opportunity for vocational training elsewhere.

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? Will you delay the education of these students and delay the ever growing need of our consumers proper healthcare personnel?

We are academic institutions. Education belongs under the jurisdiction of the DOE. Please do not change what the DOE provides. The end result in the drop of "change" will ripple out to be costly and at a detriment to the consumers (the students, employers, and the patients).

**Please vote AGAINST this bill.**

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**SB2976**

Submitted on: 2/10/2016

Testimony for EDU/CPH on Feb 12, 2016 12:30PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
shanna arney	Individual	Oppose	No

Comments:

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**SB2976**

Submitted on: 2/10/2016

Testimony for EDU/CPH on Feb 12, 2016 12:30PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sudie noland	Individual	Oppose	No

Comments:

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