



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

Date: 04/05/2017
Time: 02:30 PM
Location: 308
Committee: House Finance

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 1286, SD2, HD2 RELATING TO PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOLS.

Purpose of Bill: Clarifies the scope of the private trade, vocational, and technical school licensure program within the department of education. Establishes a licensing fee to ensure the sustainability of the licensure program. Establishes a license renewal process and fee. Creates the private trade, vocational, and technical school licensure special fund. Appropriates moneys for one full-time equivalent position within the department of education to administer licensing. (SB1286 HD2)

Department's Position:

The Department of Education (Department) strongly supports SB1286 SD2 HD2 relating to private trade, vocational and technical schools (PTVT).

With a special fund and dedicated position to support the PTVT licensing program operations, the Department will be better able to provide for the licensure program's sustainability.

Based on 30 schools, the Department respectfully proposes both an initial and renewal licensure fee of \$3,000 for a two-year licensing period (Section 4, page 8, lines 10 and 20). A special fund fee assessment of approximately 8.7 percent will be assessed on all fees collected. Special fund expenditure plans include estimates of reimbursement to the General Fund as required by Section 36-27, Hawaii Revised Statutes (HRS), Assessment for Central Service Expenses (equals five percent of special fund receipts) and Section 36-30, HRS, Assessment for Departmental Administrative Expenses (equals 3.7 percent of special fund expenditures).

Fees collected would cover the program costs for personnel, document verification, complaints, and annual fiscal reviews. Based on estimated program expenditures for personnel and operations, the Department respectfully recommends a \$45,000 appropriation in each year of the biennium to sustain the licensure program until the new fee schedule takes effect in 2019. (Section 10, page 11 and Section 11, pages 11-12).

The operational support provided in this measure will allow the Department to continue to administer licensing for PTVT schools while focusing on the Department's primary mission. Our primary 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.

PTVT administration by the Department continues to take away valuable resources and time that should be solely focused on providing direct services and supports for Hawaii public schools, educators and students.

Thank you for this opportunity to provide testimony on SB 1286 SD2 HD2.

DAVID Y. IGE
GOVERNOR



WESLEY K. MACHIDA
DIRECTOR

LAUREL A. JOHNSTON
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON FINANCE
ON
SENATE BILL NO. 1286, S.D. 2, H.D. 2

April 5, 2017
2:30 p.m.
Room 308

RELATING TO PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOLS

Senate Bill No. 1286, S.D. 2, H.D. 2, amends Chapter 302A, HRS, and requires the Department of Education (DOE) to license private trade, vocational, and technical schools, as necessary, for compliance with federal regulations or accreditation requirements. The purpose of the measure is to clarify the scope of the licensure program and to establish a licensing fee to ensure its sustainability.

The measure also establishes the Private Trade, Vocational, and Technical School Licensure Special Fund. The measure authorizes the deposits of revenues and fees established by the bill and general fund appropriations into the special fund. However, the bill leaves the amount of the initial license fee and renewal fee unspecified. In addition, the bill authorizes the deposit of an unspecified amount of general funds into the special fund for FY 18 and FY 19. Moneys in the special fund are to be used to fund activities related to licensure requirements, including permanent staff positions. The bill also authorizes the establishment of one full-time equivalent position within DOE to be funded out of the special fund for FY 18 and FY 19.

The Department of Budget and Finance, as a matter of general policy, does not support the creation of any special fund which does not meet the requirements of Section 37-52.3 of the HRS. Special funds should: 1) serve a need that cannot be implemented under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries of the program; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. In regards to Senate Bill No. 1286, S.D. 2, H.D. 2, it is uncertain if the special fund will be self-sustaining, as the cost of operations and the fees are unknown.

As a technical comment for clarity purposes, the expending agency for the general fund appropriation is not specified and there is no special fund appropriation.

Thank you for your consideration of our comments.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 4, 2017 12:15 PM
To: FINTestimony
Cc: carmel@mahamaui.com
Subject: *Submitted testimony for SB1286 on Apr 5, 2017 14:30PM*

SB1286

Submitted on: 4/4/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Carmel Andrews	Maui Academy of Healing Arts	Oppose	Yes

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.

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Date/Time: Wednesday, April 5, 2017, 2:30pm

Committee: House Finance

Person Testifying: Dr. Mark Olson, Director, Pacific Center for Awareness and Bodywork

Title of Bill: SB1286 SD2 HD2,
Relating to the Licensing of Private Trade, Vocational, & Technical Schools

Position: Oppose

Honorable Rep Sylvia Luke (Chair), Rep Ty J.K. Cullen (Vice-Chair), and FIN Committee Members,

I oppose the current form of SB1286 SD2 HD2. I appreciate all the work that has gone into SB1286. Unfortunately, the changes made do not go far enough to protect or serve private trade, vocational, and technical schools for me to be able to support this bill. Please help private trade, vocational, and technical schools, which contribute to the economy and people of Hawaii. Please listen to the recommendations of Carmel Andrews, MAHA; Margaret Williams, HIHD; Shelagh Lampshire, MSTM; and Capt. Carl Devoe, Maritime License Center. The simple changes I've suggested in points #1 and #2 below would allow the intent of this bill to move forward without my opposition:

1. **Section 4(a)** states that DOE licensing is "necessary for compliance with federal regulations or accreditation requirements", but this phrase leaves out **the PRIMARY reason why all massage schools need a DOE license: graduate licensure**. When our graduates apply for a massage license, they need to submit proof that the school they attended was licensed by the DOE. **This has nothing to do with federal requirements or accreditation**. I suggest phrasing such as:

"necessary for compliance with federal regulations, accreditation requirements, or licensure requirements."

2. **Section 4(b)(1)** requires that a school show proof of accreditation or provide a letter from the relevant licensure board. But no massage school in Hawaii has the resources to attain accreditation, and a letter from the Board of Massage is potentially too lax since the Board is not ideally suited to review massage school curriculum. **The most appropriate credentialing agency in the USA to validate massage school curriculum is the National Certification Board of Therapeutic Massage and Bodywork (NCBTMB). Please change the language to ensure that acquiring "assigned school" status by the NCBTMB would be considered a valid credentialing option alongside of accreditation**. For more info, see <http://www.ncbtmb.org/schools/assigned-schools>.

I suggest this language with the addition of the word "certifying" or "credentialing":

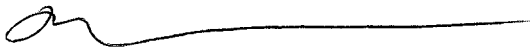
"Proof that the school is accredited by an accrediting commission of career schools and colleges, accrediting or certifying council for continuing education and training, or an accrediting or certifying bureau of health education schools; provided that in lieu of such accreditation or certification, the school may provide a letter from the relevant licensure board...."

3. **Section 4(c) & 4(d):** I support raising the application fees above the current rates of \$100/\$50, but given that **the DOE's responsibilities are being reduced to simply checking for the 4 items listed in 4(b)(1), which could be completed in a matter of minutes per school every other summer**, I fail to see why the state would want to create a FT position for what seems like the job of a PT employee. **Hiring a PT employee instead of a FT employee would be more affordable for the schools to support and a more responsible and sustainable use of State monies.**

4. **Section 13: The effective date chosen could result in problems with the application process and/or a waste of funds.** Our license applications for the period of Sept 1, 2017- Aug 31, 2019 are due June 30, 2017. Here are the scenarios that occur with different effective dates:
 - Before July 1, 2017: Our application process and the DOE review process would align with each other and would be inline with this bill's designation of funds for 2017-2019. There may not be enough time to implement this.
 - **On July 1, 2017: This date creates complex problems for our applications this year. Schools would be submitting the old, multi-page applications to the DOE by June 30, 2017, but the DOE would be reviewing these applications under the new requirements**, which render the applications obsolete by calling for the review of completely different materials (the 4 items listed in 4(b)(1)).
 - After Sept 1, 2017: Schools would be submitting the old applications and the DOE would review them over the summer without extra funding, as usual. **The DOE employee starting in September would have nothing to do until the summer of 2019.**
 - July 1, 2019: If NCBTMB certification is included as an acceptable credential in 4(b)(1) AND the option to submit a letter from the Board is removed, then this 2019 date would need to be adopted to allow non-accredited schools to attain NCBTMB credentialing.

Please defeat this bill or resolve these remaining issues. Thank you for your time and efforts with this bill.

Sincerely,



Mark Olson, Ph.D.
Director, Pacific Center for Awareness and Bodywork
PO Box 1049, Kilauea, HI 96754

Date/Time: Wednesday, April 5, 2017, 2:30pm

Committee: House Finance

Person sending in Testimony: Frances Salvato, Director of Education, Maui School of Therapeutic Massage

Title of Bill: SB1286 SD2 HD2,
Relating to the Licensing of Private Trade, Vocational, & Technical Schools

Position: Oppose

Honorable Rep Sylvia Luke (Chair), Rep Ty J.K. Cullen (Vice-Chair), and FIN Committee Members,

I oppose the current form of SB1286 SD2 HD2. I concur with the testimonies of Dr. Mark Olson and Shelagh Lampshire. This bill was originally written to enforce rules that have since been removed, and as a result it now contains non-relevant language that undermines itself and the schools for which it is written. Returning most of the bill to the statutory language would be one way to solve these problems, but they can also be resolved with very few changes. The following changes would allow the intent of this bill to move forward without my opposition:

1. **Section 4(a)** states that DOE licensing is "necessary for compliance with federal regulations or accreditation requirements", but this phrase leaves out **the PRIMARY reason why all massage schools need a DOE license: graduate licensure.** When our graduates apply for a massage license, they need to submit proof that the school they attended was licensed by the DOE. **This has nothing to do with federal requirements or accreditation.** I suggest phrasing such as: "necessary for compliance with federal regulations, accreditation requirements, or graduate licensure requirements."

2. **Section 4(b)(1):** No massage school in Hawaii can afford accreditation, and the Board of Massage is not ideally suited to review massage school curriculum. **The most appropriate credentialing agency in the USA to validate massage school curriculum is the National Certification Board of Therapeutic Massage and Bodywork (NCBTMB).** Please clarify that being an "assigned school" by the NCBTMB would be a valid credential instead of accreditation.

3. **Section 4(c) & 4(d):** I support raising the application fees above the current rates of \$100/\$50, but given that **the DOE's responsibilities are being reduced to simply checking for the 4 items listed in 4(b)(1), which could be completed in a matter of minutes per school every other summer,** I fail to see why the state would want to create a FT position. Hiring a PT employee instead of a FT employee would be more affordable for the schools to support and a more responsible use of State monies.

4. Section 13: An effective date of July 1, 2017 would create a lot of complex problems with the licensing process. Our license applications for the 2017-2019 period are due June 30. Here are the scenarios that occur with four effective dates:

- Before July 1, 2017: Our application process and the DOE review process would align with each other and would be inline with this bill's designation of funds for 2017-2019.
- **On July 1, 2017: Schools would be submitting the old, multi-page applications to the DOE by June 30, 2017, but the DOE would be reviewing the applications under the new requirements,** which call for the review of completely different materials (the 4 items listed in 4(b)(1)).
- After Sept 1, 2017: Schools would be submitting the old applications, but the DOE would review them over the summer without funding, as usual. The DOE employee starting in September would have nothing to do until the summer of 2019.
- July 1, 2019: If NCBTMB certification is included as an acceptable credential in 4(b)(1), and if the option to submit a letter from the Board is removed, then this 2019 date should be adopted to allow non-accredited schools to attain NCBTMB credentialing.

Please defeat this bill or resolve these few shortcomings. Thank you for your time and efforts with this bill.

Sincerely,

Frances J Salvato

Director of Education

Maui School of Therapeutic Massage

Makawao, HI 96768

808-344-3682

frances@massagemaui.com



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www.massagemau.com ♦ info@massagemau.com

April 4, 2017

Testimony re: SB1286 SD2 HD2, Relating to the Licensing of Private Trade, Vocational, & Technical Schools

House Finance Committee Meeting
Wednesday, April 5, 2017, 2:30pm

To the Honorable Chairperson, Rep. Sylvia Luke; Honorable Vice-Chair Rep. Ty J.K. Cullen; and Honorable Members of the House Finance Committee:

I am writing as the Director of the Maui School of Therapeutic Massage (MSTM), a Department of Education (DOE)-licensed vocational school since 1995. I **oppose the current form of SB1286 SD2 HD2**. I appreciate all the work that has gone into SB1286. Unfortunately, the changes made do not go far enough to protect and serve the needs of private trade, vocational, and technical schools for me to be able to support SB1286. Please help private trade, vocational, and technical schools, which contribute to the economy and people of Hawaii. Please listen to the recommendations of Dr. Mark Olson, PCAB; Carmel Andrews, MAHA; Margaret Williams, HIHD; and Capt. Carl Devoe, Maritime License Center.

The simple changes suggested in points #1 and #2 below would allow me to withdraw my opposition to SB1286:

1. **Section 4(a)** states that DOE licensing is "necessary for compliance with federal regulations or accreditation requirements", but this phrase leaves out **the PRIMARY reason why all massage schools need a DOE license: graduate licensure**. When our graduates apply for a massage license in Hawaii (and other states), they need to submit proof that the school they attended was licensed by the DOE. **This has nothing to do with federal requirements or accreditation**. If our graduates cannot show that their education was from a licensed school, they would not be eligible to apply for massage therapy licenses in Hawaii or

most other states, which could effectively put small vocational schools out of business. 18 out of 34 vocational schools licensed by the DOE are massage schools and are directly affected. The following language would rectify Section 4(a):

“The department shall license private trade, vocational, and technical schools as necessary for compliance with federal regulations, ~~or~~ accreditation requirements, or graduates’ licensure requirements in the State of Hawaii and other states.”

2. Section 4(b)(1): No massage school in Hawaii can afford accreditation, and the Board of Massage is not ideally suited to review massage school curriculum. **The most appropriate credentialing agency in the United States to validate massage school curriculum is the National Certification Board of Therapeutic Massage and Bodywork (NCBTMB). Please clarify that acquiring “assigned school” status by the NCBTMB would be considered a valid credentialing option alongside of accreditation.** For more info on NCBTMB credentialing, see <http://www.ncbtmb.org/schools/assigned-schools>. I propose the following language with the addition of the word “certifying” or “credentialing”:

“Proof that the school is accredited by an accrediting commission of career schools and colleges, accrediting or certifying council for continuing education and training, or an accrediting or certifying bureau of health education schools; provided that in lieu of such accreditation or certification, the school may provide a letter from the relevant licensure board....”

The recommended suggestions above would rectify the wording for the massage therapy schools which are currently licensed by the DOE. However, additional wording, which is broad enough to encompass the diversity of vocational, trade and technical school curricula, should be included. Please also consider the testimony of the Maritime License Center for corrections to this section.

3. Section 4(c) & 4(d): I support raising the application fees above the current rates of \$100/\$50. However, given that the DOE’s responsibilities are being reduced to simply checking for the 4 items listed in 4(b)(1), and given that vocational school license renewal only happens over the course of summer of odd numbered years (e.g. June 30 – August 31, 2017), what would be the

responsibilities of the new DOE staff position for the rest of the licensing period (September 1, 2017 – June 29, 2019)? I fail to see why the state would want to create a full-time position for what seems like the job of a part-time employee. Hiring a part-time employee instead of a full-time employee would be more affordable for the schools to support and a more responsible use of State monies.

4. Section 13: An effective date of July 1, 2017 would create a lot of complex problems with the licensing process. Our license applications for the 2017-2019 period are due June 30. Here are the scenarios that occur with four effective dates:

- Before July 1, 2017: Our application process and the DOE review process would align with each other and would be inline with this bill's designation of funds for 2017-2019.
- **On July 1, 2017: Schools would be submitting the old, multi-page applications to the DOE by June 30, 2017, but the DOE would be reviewing the applications under the new requirements,** which call for the review of completely different materials (the 4 items listed in 4(b)(1)).
- After Sept 1, 2017: Schools would be submitting the old applications, but the DOE would review them over the summer without funding, as usual. The DOE employee starting in September would have nothing to do until the summer of 2019.
- July 1, 2019: If NCBTMB certification is included as an acceptable credential in 4(b)(1), and if the option to submit a letter from the Board is removed, then this 2019 date should be adopted to allow non-accredited schools to attain NCBTMB credentialing.

I sincerely would like to see resolution to the issues that have been brought forth by this legislation. I ultimately want this bill to work for both the DOE and for vocational schools. I would like for

- private trade, vocational, and technical schools continue to be licensed by the DOE
- the DOE to have a the resources it needs to have a dedicated staff person to oversee vocational school licensure
- the curricula of the diverse trade, vocational, and technical schools to be properly evaluated by qualified entities (certifying, accrediting, or other agencies)

However, the language of the bill must be inclusive of the diversity of vocational, trade and technical schools. Is it possible to create a working group of vocational school administrators, the Department of Education, and the DCCA to come up with a win-win solution for all parties? In order to protect vocational school students, and the public who will seek out their services as licensed practitioners, we owe it to our professions and the people of the State of Hawaii to put forth a bill which allows vocational schools to continue to offer affordable vocational training that provides the State of Hawaii a well-trained work force across vocations and professions.

Thank you for your time and efforts with this bill and for considering my testimony.

Sincerely,

Shelagh Lampshire
Director, Maui School of Therapeutic Massage

From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 3, 2017 5:51 PM
To: FINTestimony
Cc: bob-marion@hawaiiintel.net
Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM

SB1286

Submitted on: 4/3/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Marion McHenry	Individual	Oppose	No

Comments: I have been a Licensed massage therapist in Hawaii since 1990. I am very concerned about this bill. I studied at a smaller school on Kauai and continued my studies throughout the years. I have founded massage programs and was the lead therapist at the Halele'a Spa at the St Regis Princeville on Kauai. This measure will make it difficult to get good training within the state. It is already difficult to find enough licensed massage therapists to staff a well known spa. Licensing will also not be transferable to other states and will bar us from working with many organizations within our field nationwide. There are so many things wrong with this proposal, and although the DOE does need our support to help with administration, this is extortionist. Please do not pass this bill.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 4, 2017 7:24 AM
To: FINTestimony
Cc: lael.cherry@gmail.com
Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM

SB1286

Submitted on: 4/4/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Lael Cherry	Individual	Oppose	No

Comments: I oppose this bill unless the following two changes are made: 1. Section 4a should acknowledge that the purpose of DOE licensing for Hawaii massage schools is not to meet federal or accreditation requirements but rather to meet graduate licensure requirements. 2. Section 4b should clarify that NCBTMB credentials would be accepted instead of accreditation. In addition, serious consideration should be given to why schools should be funding a full-time employee that only conducts a few hours of work every summer.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 4, 2017 7:23 AM
To: FINTestimony
Cc: billielovespugs@gmail.com
Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM

SB1286

Submitted on: 4/4/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
billie wright	Individual	Oppose	No

Comments: I oppose this bill unless the following two changes are made: 1. Section 4a should acknowledge that the purpose of DOE licensing for Hawaii massage schools is not to meet federal or accreditation requirements but rather to meet graduate licensure requirements. 2. Section 4b should clarify that NCBTMB credentials would be accepted instead of accreditation. In addition, serious consideration should be given to why schools should be funding a full-time employee that only conducts a few hours of work every summer.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 4, 2017 6:39 AM
To: FINTestimony
Cc: alienengine@gmail.com
Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM

SB1286

Submitted on: 4/4/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan	Individual	Oppose	No

Comments: I oppose this bill unless the following two changes are made: 1. Section 4a should acknowledge that the purpose of DOE licensing for Hawaii massage schools is not to meet federal or accreditation requirements but rather to meet graduate licensure requirements. 2. Section 4b should clarify that NCBTMB credentials would be accepted instead of accreditation. In addition, serious consideration should be given to why schools should be funding a full-time employee that only conducts a few hours of work every summer.

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.

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Hawaii Institute of Hair Design 1128 Nuuanu Avenue, Honolulu, Hawaii 96817

House of Representatives Twenty Ninth Legislature 2017

Committee on Finance

Wednesday , April 5, 2017

Rep. Sylvia Luke, Chair

2:30 PM Conference Room 308

Representative Ty J.K. Cullen, Vice Chair

SB1286SD2HD2 Relating to Private Trade, Vocational and Technical Schools

Honorable Chairpersons 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.

This bill is really improved from its first version but it needs more work.

The DOE has said for a great many years that they need funds to manage Private Postsecondary Schools licensure. We want the legislature to find a way to fairly get the DOE the money that is necessary to maintain PTVT school licensure but not budget to overstaff the position and not change the paperwork (not cut out the licensure of any of the current schools or types of schools and to not cut out any of the current criteria and requirements of the DOE and schools.) If you are going to give the DOE the money necessary to license the schools, do not narrow the scope and remove the work and time much of the funds are being requested for.

The Bill currently stops at least 10 schools from getting their licenses. renewed, without minor changes leaves only 3 to 5 schools to pay for the support of “funding for permanent staff positions and administrative and operational costs” (pg.4 line 1& 2). ((Many positions are inferred, not the one position needed for funding). The end of the bill does request funding for just one full time equivalent staff member. **ONE is all that is needed to perform all and more than**

the work that has been occurring in reviewing the 34 currently licensed schools in the past 30 years.

If the legislature means to license schools that have graduates that must be licensed by the DCCA, the bill needs revision on page 6, line 14 adding “State and” to “federal regulations and accreditation requirements”. However, there are many schools currently licensed that would not fall under the “DCCA graduate license” blanket. About 10 schools would not be eligible for licensure under the DCCA blanket. . To save these schools, the page should be changed altogether, reverting back to the original lined out information on this page 6. Please eliminate the lineouts in lines 18,19,and 20 to give all currently licensed schools the right to renew their licenses and be sure the flight schools keep this opportunity to be licensed schools also.

DCCA does not investigate schools complaints, some Accredited schools do not have graduates who must be licensed by the DCCA, making Page 9, lines 1 thru 6 incorrect. Besides, I was told that the DOE had not received any complaints filed with the DOE about the current schools’ training. Yet, the DOE does not want the extra work involved if such should ever occur.

Please change the Bill and add the funding for one full time equivalent staff and by removing all of the changes that have been made to the Private Postsecondary School licensure ACT. In other words, Eliminate everything in the bill except the area where the flight schools are added to the DOE scope and the funding part, but fund the one full time equivalent staff members with funds shared by the licensed schools and the State.

Page 11, lines 9-13 must be rewritten also. All schools must have continuous licensure. We cannot wait until licenses expire to apply for a new one. Please have the lines written so that the schools apply three months before expiration so that the DOE has time to review and re-license all of the schools.

Margaret Williams The rest of my testimony further explains and expands information on these stands.

The creation of a fund to pay the equivalent of a full time position in the DOE to license these schools is a good thing. The fund should pay for the work that is necessary to keep schools licensed as they have been licensed in the past. The current forms and requirements for Private postsecondary school licensure are far superior to the requirements described in this bill. The current forms and requirements help schools prepare to be good schools, to analyze, improve and grow, and are essential for schools to strive for excellence with their students.

I oppose the creation of several or any single full time position and office to perform the licensure activities which unfairly raises the cost of School Licensure for the schools and for the State. This bill creates an entire new office with administrator and staff to do the work that has been accomplished very part time in the past and the bill funds the extra jobs and cost. The Standing Committee Report states that the Bill is: (4) Authorizing one permanent full-time equivalent position within the Department of Education to administer licensing of private trade, vocational, and technical schools and appropriating monies for that purpose; the words "one" and "equivalent" should be switched into the bill wherever the "office" and "staff" are mentioned. That would save the State and schools a lot of money and would fund the work that is currently happening and is necessary.

I oppose the removal of any Non-Accredited School from Private Trade, Vocational and Technical School licensure by the Department of Education. Why remove the licensure from schools of business, cooking, computer, accounting, and maritime and other schools of this type like Lanakila, training the indigent and handicapped? Are their students any less in need of State oversight than accredited school students? Why, by eliminating the schools, would you create less work to be done if the previous job can be completed by the one full time equivalent position? This bill appears to require that the schools I just listed must

be licensed, but requires accreditation or DCCA documents of them that they cannot supply to achieve the DOE licensure.

This bill also haphazardly shortens the list of Items the Department of Education requires schools to submit for review upon application or renewal, shortening the workload of the DOE reviewers but expanding the current very part time work into full time positions. Line outs on Page 10, lines 9-17 do not protect the public and prevents the DOE from doing more than half of their job in the past! We do not want the DOE to guarantee a curriculum or school is good, but we do hope they would try to help licensed schools be prepared to teach the public properly.

The Department of Education has been efficiently issuing licenses to schools for decades. In the past, it took only a few weeks of time for two persons to do the reviews necessary for licensing and renewing schools. Those reviews are done in the slower summer months. The Department of Education should continue to do their job, protecting the older children of Hawaii. This costs the State no more than it has in the last 77 years, after adding inflation in the salaries and such.

The state authorizes all of the public college programs; this bill removes licensure from many private school programs. Private cooking and pastry, massage and acupuncture, auto mechanic, medical, healthcare, maritime, barber, grounds maintenance and food service, computer, business applications workplace skills, and accounting are taught at current DOE licensed schools. The community college career and technical education programs are authorized by the Board of Regents under the State Constitution. Many of the programs offered by the private schools are also taught at the community colleges. The students at the community colleges have the backing and protection of the state and the constitution, Why not at the private schools? What makes the students who have chosen to get their education at private schools any less worthy of state oversight than of those attending a school that is public? All students should be able to attend school under the security of a state authority overview.

Without a license, the Private schools cannot achieve accreditation and earn the right to request Federal Financial Aid for their students. The bill would create a

restrictive monopoly for established accredited schools and the community colleges. Very few future schools could ever achieve National Accreditation in this State again.

Unnecessary COST When a full time position is not necessary to do the job, do not create full time Administrator and staff jobs. School licensure is not a full time job. The staff members that currently use a few months of their time every two years to perform the school reviews are paid salaries by the State. They review course outlines, school budgets, school teachers' history and much more than is described as the requirements of future school submissions in this bill. How can one justify funding for permanent staff positions, administrative and operational costs for a job that takes up a few weeks every two years? All school licenses expire every two years and must be renewed by September first. The job is better done when two people work on the project during the summer every two years. The DOE has never failed to complete the reviews and renew the licenses of schools (currently only 34 schools) on time. This bill removes many schools and many of the requirements. It alleviates the DOE from responsibility of an analysis of school curriculum and investigating complaints on the schools, and says nothing about submitting information on our teachers. The reviews of the private schools covered by the part time staff in the past were much more thorough than this bill designates as the work of the newly created administrator and staff as described on the beginning of the bill.

Do not request funds to pay them to try to find things to do during the 1 ¾ years that is not renewal time.

Extra COST The bill is speaking of turning the student complaints over to RICCO. RICCO is paid by licensees of DCCA to investigate complaints on licensed trades. Cooking, business, food service, computers, etc. are not DCCA licensed fields. How will the State pay RICCO for investigating the complaints for Cooking, travel, medical assisting, business, food service, computer, maritime, and other schools whose graduates are not licensed in DCCA? Will the State Fund RICCO for the investigations?

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Unlike the public Colleges, the Private Postsecondary Schools do not ask the state to pay our teachers or for maintenance of our buildings. We are doing the state a service in educating the children of Hawaii, getting them to work, and keeping many out of prison or off the welfare rolls. The state pays for the Community college oversee; can the taxes we pay cover much of the the cost of assuring Private Postsecondary Vocational students get a good education?.

This bill removes the current requirement to help ensure adequate educational quality is conducted at private trade vocational and technical schools and creates unreasonable costs and charges. It is not yet a good bill to pass. Please continue to protect the people who are not college bound and chose to learn to become employable by attending a private school. Please have the DOE do their job and continue to work on fixing this bill

Thank you for considering this testimony. I apologize for its length.

Margaret Williams

Hawaii Institute of Hair Design

Phone 808 533-6596

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 4, 2017 11:21 AM
To: FINTestimony
Cc: keani_nwr@msn.com
Subject: *Submitted testimony for SB1286 on Apr 5, 2017 14:30PM*

SB1286

Submitted on: 4/4/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Keani Rawlins-Fernandez	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.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 4, 2017 12:21 PM
To: FINTestimony
Cc: Cdoyle421@gmail.com
Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM

SB1286

Submitted on: 4/4/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Colin	Individual	Oppose	No

Comments: I oppose this bill unless the following two changes are made: 1. Section 4a should acknowledge that the purpose of DOE licensing for Hawaii massage schools is not to meet federal or accreditation requirements but rather to meet graduate licensure requirements. 2. Section 4b should clarify that NCBTMB credentials would be accepted instead of accreditation. In addition, serious consideration should be given to why schools should be funding a full-time employee that only conducts a few hours of work every summer.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 4, 2017 1:21 PM
To: FINTestimony
Cc: mccrary@hawaii.rr.com
Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM

SB1286

Submitted on: 4/4/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Gilbert McCrary	Individual	Oppose	No

Comments: I oppose this bill unless the following two changes are made: 1. Section 4a should acknowledge that the purpose of DOE licensing for Hawaii massage schools is not to meet federal or accreditation requirements but rather to meet graduate licensure requirements. 2. Section 4b should clarify that NCBTMB credentials would be accepted instead of accreditation. In addition, serious consideration should be given to why schools should be funding a full-time employee that only conducts a few hours of work every summer.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 4, 2017 1:32 PM
To: FINTestimony
Cc: adeanery@gmail.com
Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM

SB1286

Submitted on: 4/4/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Asa Dean	Individual	Oppose	No

Comments: I oppose this bill unless the following two changes are made: 1. Section 4a should acknowledge that the purpose of DOE licensing for Hawaii massage schools is not to meet federal or accreditation requirements but rather to meet graduate licensure requirements. 2. Section 4b should clarify that NCBTMB credentials would be accepted instead of accreditation. In addition, serious consideration should be given to why schools should be funding a full-time employee that only conducts a few hours of work every summer.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 4, 2017 2:48 PM
To: FINTestimony
Cc: jilljackson74@gmail.com
Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM

SB1286

Submitted on: 4/4/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Jill Jackson	Individual	Oppose	No

Comments: I oppose this bill unless the following two changes are made: 1. Section 4a should acknowledge that the purpose of DOE licensing for Hawaii massage schools is not to meet federal or accreditation requirements but rather to meet graduate licensure requirements. 2. Section 4b should clarify that NCBTMB credentials would be accepted instead of accreditation. In addition, serious consideration should be given to why schools should be funding a full-time employee that only conducts a few hours of work every summer.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 5, 2017 1:29 PM
To: FINTestimony
Cc: mauimanamassage@gmail.com
Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM



SB1286

Submitted on: 4/5/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Oliveira	Individual	Oppose	No

Comments: Aloha, I attended Maui School of Therapeutic Massage in Makawao, HI in 2012. I am licensed for massage therapy in Hawaii, and in the past year I moved to Kentucky and with the education and licensure from Hawaii was able to become licensed here as well. My schooling was superior in quality and value compared to many of the LMT's I have worked with here in Kentucky. Having said that, I appreciate all the work that has gone into SB1286. Unfortunately, the changes made do not go far enough to protect and serve the needs of private trade, vocational and technical schools for me to be able to support SB1286 so I am urging you to PLEASE OPPOSE SB1286. Please help private trade, vocational and technical schools which contribute to the economy and people of Hawaii. Please listen to the recommendations of (Dr. Mark Olson, PCAB; Carmel Andrews, MAHA; Margaret Williams, HIHD; Shelagh Lampshire, MSTM; Capt. Carl Devoe, Maritime License Center, etc). Thank you for your time. Remain pono!

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 5, 2017 1:51 AM
To: FINTestimony
Cc: raphiell@gmail.com
Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM

SB1286

Submitted on: 4/5/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Raphiell Nolin	Individual	Oppose	No

Comments: I strongly oppose this bill in its current form. I have been a licenses massage therapist in Hawaii since 1988 and have worked at chiropractic offices, 5 star resort spas in Wailea, Lanai and Ka'anapali as well as my own private practice. I also have been a teacher at the Maui School of Therapeutic Massage for 22 years. This bill would adversely affect the school's ability to continue to provide quality training in the field of Massage Therapy. The fees involves would prevent our school from continuing and adding to Hawaii's economy. Please defeat this bill.

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From: mailinglist@capitol.hawaii.gov
 Sent: Tuesday, April 4, 2017 10:55 PM
 To: FINTestimony
 Cc: acesbella@gmail.com
 Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM

SB1286

Submitted on: 4/4/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Cesarek	Individual	Oppose	No

Comments: I oppose this bill unless the following two changes are made: 1. Section 4a should acknowledge that the purpose of DOE licensing for Hawaii massage schools is not to meet federal or accreditation requirements but rather to meet graduate licensure requirements. 2. Section 4b should clarify that NCBTMB credentials would be accepted instead of accreditation. In addition, serious consideration should be given to why schools should be funding a full-time employee that only conducts a few hours of work every summer.

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finance8 - Joy

LATE

From: CPH Testimony
Sent: Wednesday, April 5, 2017 7:50 AM
To: FINTestimony
Subject: FW: SB 1286

Hello,

This is Melissa from Senator Baker's office. I think this was meant to be sent to your committee regarding SB 1286. Thank you!

Sincerely,

Melissa Lee

-----Original Message-----

From: Matt Cockey [mailto:mattcockey@gmail.com]
Sent: Wednesday, April 5, 2017 4:35 AM
To: CPH Testimony <CPHTestimony@capitol.hawaii.gov>
Subject: SB 1286

Aloha,

I am writing to request that oversight over vocational schools be left to the Department of Education. SB 1286 in its current form will harm vocational schools, the educators who work there, and students.

Mahalo for your consideration,

Matt Cockey
Licensed Massage Therapist



From: mailinglist@capitol.hawaii.gov
 Sent: Wednesday, April 5, 2017 11:46 AM
 To: FINTestimony
 Cc: rdreader@gmail.com
 Subject: Submitted testimony for SB1286 on Apr 5, 2017 14:30PM

SB1286

Submitted on: 4/5/2017

Testimony for FIN on Apr 5, 2017 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Reader	Individual	Oppose	No

Comments: I appreciate all the work that has gone into SB1286. Unfortunately, the changes made do not go far enough to protect and serve the needs of private trade, vocational and technical schools for me to be able to support SB1286. Please help private trade, vocational and technical schools which contribute to the economy and people of Hawaii. Please listen to the recommendations of (Dr. Mark Olson, PCAB; Carmel Andrews, MAHA; Margaret Williams, HIHD; Shelagh Lampshire, MSTM; Capt. Carl Devoe, Maritime License Center, etc). " Respectfully submitted Robert Reader Student

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LATE

Hawaii Institute of Hair Design 1128 Nuuanu Avenue, Honolulu, Hawaii 96817

House of Representatives Twenty Ninth Legislature 2017

Committee on Finance

Wednesday , April 5, 2017

Rep. Sylvia Luke, Chair

2:30 PM Conference Room 308

Representative Ty J.K. Cullen, Vice Chair

SB1286SD2HD2 Relating to Private Trade, Vocational and Technical Schools

Honorable Chairpersons 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.

This bill is really improved from its first version but it needs more work.

The DOE has said for a great many years that they need funds to manage Private Postsecondary Schools licensure. We want the legislature to find a way to fairly get the DOE the money that is necessary to maintain PTVT school licensure but not budget to overstaff the position and not change the paperwork (not cut out the licensure of any of the current schools or types of schools and to not cut out any of the current criteria and requirements of the DOE and schools.) If you are going to give the DOE the money necessary to license the schools, do not narrow the scope and remove the work and time much of the funds are being requested for.

The Bill currently stops at least 10 schools from getting their licenses. renewed, without minor changes leaves only 3 to 5 schools to pay for the support of “funding for permanent staff positions and administrative and operational costs” (pg.4 line 1& 2). ((Many positions are inferred, not the one position needed for funding). The end of the bill does request funding for just one full time equivalent staff member. ONE is all that is needed to perform all and more than

the work that has been occurring in reviewing the 34 currently licensed schools in the past 30 years.

If the legislature means to license schools that have graduates that must be licensed by the DCCA, the bill needs revision on page 6, line 14 adding “State and” to “federal regulations and accreditation requirements”. However, there are many schools currently licensed that would not fall under the “DCCA graduate license” blanket. About 10 schools would not be eligible for licensure under the DCCA blanket. . To save these schools, the page should be changed altogether, reverting back to the original lined out information on this page 6. Please eliminate the lineouts in lines 18,19,and 20 to give all currently licensed schools the right to renew their licenses and be sure the flight schools keep this opportunity to be licensed schools also.

DCCA does not investigate schools complaints, some Accredited schools do not have graduates who must be licensed by the DCCA, making Page 9, lines 1 thru 6 incorrect. Besides, I was told that the DOE had not received any complaints filed with the DOE about the current schools’ training. Yet, the DOE does not want the extra work involved if such should ever occur.

Please change the Bill and add the funding for one full time equivalent staff and by removing all of the changes that have been made to the Private Postsecondary School licensure ACT. In other words, Eliminate everything in the bill except the area where the flight schools are added to the DOE scope and the funding part, but fund the one full time equivalent staff members with funds shared by the licensed schools and the State.

Page 11, lines 9-13 must be rewritten also. All schools must have continuous licensure. We cannot wait until licenses expire to apply for a new one. Please have the lines written so that the schools apply three months before expiration so that the DOE has time to review and re-license all of the schools.

Margaret Williams The rest of my testimony further explains and expands information on these stands.

The creation of a fund to pay the equivalent of a full time position in the DOE to license these schools is a good thing. The fund should pay for the work that is necessary to keep schools licensed as they have been licensed in the past. The current forms and requirements for Private postsecondary school licensure are far superior to the requirements described in this bill. The current forms and requirements help schools prepare to be good schools, to analyze, improve and grow, and are essential for schools to strive for excellence with their students.

I oppose the creation of several or any single full time position and office to perform the licensure activities which unfairly raises the cost of School Licensure for the schools and for the State. This bill creates an entire new office with administrator and staff to do the work that has been accomplished very part time in the past and the bill funds the extra jobs and cost. The Standing Committee Report states that the Bill is: (4) Authorizing one permanent full-time equivalent position within the Department of Education to administer licensing of private trade, vocational, and technical schools and appropriating monies for that purpose; the words "one" and " equivalent" should be switched into the bill wherever the "office" and "staff" are mentioned. That would save the State and schools a lot of money and would fund the work that is currently happening and is necessary.

I oppose the removal of any Non-Accredited School from Private Trade, Vocational and Technical School licensure by the Department of Education. Why remove the licensure from schools of business, cooking, computer, accounting, and maritime and other schools of this type like Lanakila, training the indigent and handicapped? Are their students any less in need of State oversight than accredited school students? Why, by eliminating the schools, would you create less work to be done if the previous job can be completed by the one full time equivalent position? This bill appears to require that the schools I just listed must

be licensed, but requires accreditation or DCCA documents of them that they cannot supply to achieve the DOE licensure.

This bill also haphazardly shortens the list of Items the Department of Education requires schools to submit for review upon application or renewal, shortening the workload of the DOE reviewers but expanding the current very part time work into full time positions. Line outs on Page 10, lines 9-17 do not protect the public and prevents the DOE from doing more than half of their job in the past! We do not want the DOE to guarantee a curriculum or school is good, but we do hope they would try to help licensed schools be prepared to teach the public properly.

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Thank you for considering this testimony. I apologize for its length.

Margaret Williams
Hawaii Institute of Hair Design
Phone 808 533-6596

MARITIME LICENSE CENTER SENATE BILL 1286 & HOUSE BILL 494 TESTIMONY

MARITIME LICENSE CENTER INFORMATION

The Maritime License Center provides maritime courses to the Hawaii maritime industry which includes:

- The Hawaii Maritime Tourist Industry - Dive vessels, Whale Watch vessels, Dinner Cruise vessels, Parasail vessels, etc.
- The Hawaii Tug Boat Industry - Hawaiian Tug & Barge, Sause Brothers, American Marine, P & R Water Taxi, P&M Towing Services, Young Brothers, Sea Engineering, Kirby Offshore.
- The “Big Ship Industry” - Matson, Horizon, Pasha, Norwegian Cruise Lines.
- The Maritime Unions – Seafarer’s International Union, Sailors Union of the Pacific, Marine Fireman Oilers & Wipers Union, Inland Boatman’s Union, Master Mates & Pilots Union, Marine Engineers Beneficial Association.

For the above Maritime Industry, the Maritime License Center offers over 24 different programs/courses required by the International Maritime Organization (IMO) and the U.S. Coast Guard for mariners to obtain and maintain their licenses. These programs and courses are listed below:

Programs

* Indicates Coast Guard approved

- Master/mate 500 Tons Program *
- Master/mate 200 Tons Inland & Near Coastal Program *
- Master/mate 200 Tons Steersman of Towing Vessels Program *
- Master/mate 100 Tons Inland & Near Coastal Program *
- Operator, Uninspected Passenger Vessels Program (6-pak) *
- Able Seafarer (Seaman) Program *

Courses

- Master/Mate 200 Tons Inland & Near Coastal *
- Master/Mate 200 Tons (Oceans) *
- Master/Mate 200 Tons (Steersman) of Towing Vessels *
- Master/Mate 200 Tons *
- Operator of the Uninspected Passenger Vessel (OUPV) *
- Radar Observer *
- Radar Recertification *
- Auxiliary Sail Endorsement *
- Assistance Towing Endorsement *
- Able Seaman (Seafarer) *
- Proficiency In Survival Craft *
- Marine Radio Operator Permit (FCC approved course)
- First Aid /CPR *
- STCW Basic Safety * (Basic Firefighting/Personal Survival/Personal Safety, (four modules) Social Responsibilities/First Aid-CPR)
- Bridge Resource Management (Bridge Team Procedures) *
- Celestial Navigation for Ocean Voyages
- Qualified Member of the Engineering Department (QMED)*
- Visual Communications*
- Medical Care Provider*
- Fishing Vessel Safety Drill Coordinator*
- Automatic Radar Plotting Aids*
- Global Maritime Distress & Safety System (GMDSS)*
- Ratings Forming Part of a Navigational Watch (RFPNW-Lookout duties)*
- Security Awareness Training for All Mariners*
- Security Training for Mariners with Designated Security Duties*
- Fishing Vessel Safety Drill Coordinator *
- Leadership & Managerial Skills *
- Leadership & Teamworking Skills *

Notice all programs and courses have been approved by the U.S. Coast Guard National Maritime Center. The U.S. Coast Guard does not approve schools, but only approves courses.

- 97% of our graduates get jobs and contribute to the hawaii economy through taxes paid to the general revenue of the state.
- The maritime license center has been approved to receive funds from the:
 - Veterans Administration (post 911 GI Bill)
 - Workforce Investment Act (WIA)
 - Hana Lima
 - OHA
 - and other private/government agencies

in order to receive these funds, the maritime license center must be licensed by the state.

- Without these funds from the above organizations we may not be able to stay in business.
- Mariners would have to go to the mainland to take the courses required to obtain and maintain their licenses.
 - airfare the cost to hawaii mariners would double
 - hotels (½ million dollars at least)
 - meals etc
 -

Even more important is time away from families – Mariners already spend 30/60/90 days at sea. Time at home is precious

- Hawaii is completely dependent on the maritime industry – 97% of all goods come into Hawaii on ships.

SENATE BILL 1286 AND HOUSE BILL 494 CONCERNS

STATE LICENSURE

The Maritime License Center must be State licensed in order to receive funds from Veterans Administration (post 911 GI Bill), Workforce Investment Act (WIA), Hana Lima, OHA, and other private/government agencies.

Section 302A-425 (b) (1) of the Senate bill 12 86 says:

- (1) Proof that the school is accredited by an accrediting commission of career schools and colleges. accrediting council for continuing education and training, or an accrediting bureau of health education schools: provided that in lieu of such accreditation, the school may provide a letter from the relevant state licensure board demonstrating that graduates completing the school's curriculum are eligible for state licensure.

Problem 1

The above paragraph is a "Catch 22". If you go to the various accrediting agencies, most say that you must be State licensed to get accredited and the above paragraph says that you must be accredited to get State licensed.

Problem 2

There is no accrediting agency for maritime schools. Mariners are licensed by the U.S. Coast Guard (USCG). The USCG does not approve or accredit schools, they only approve courses and mariners must take these courses to obtain and maintain their licenses.

Solution: Delete the paragraph or rewrite the paragraph to to fix the above 2 problems.

LICENSURE SPECIAL FUND

The DOE has been funded and staffed since 1939 to license schools providing post secondary training below the college level.

Their responsibilities have included:

“(S302A-424) Regulation of other schools and classes. The department at its discretion may regulate schools, classes, or courses excepted from the definition of “private trade, vocational or technical schools”

“(S302A-427) Powers of department. No license shall be issued under sections 302A-424 to 302A-428 until the department has approved the method and content of the advertising, the standards and the methods of instruction, and the equipment provided. The department may consult with trade or vocational experts as to equipment provided and the methods of instruction offered. The department may adopt reasonable rules relating to the enforcement of sections 302A-424 to 302A-428”

“(S302A-428) Penalty. Any person, firm, or corporation that violates sections 302-424 to 302a-428 shall be guilty of a misdemeanor, but shall be subject to a maximum fine of no more than \$100 or imprisonment for not more than 90 days or both”

The above responsibilities have been eliminated under the new bill. The only responsibilities remaining with the DOE are under section S302A-425 which are to license the school after accepting that the school has submitted:

- (1) Proof of accreditation (Note “Catch 22” problem)
- (2) Proof of current business registration demonstrating good standing
- (3) Acceptance of the school’s current general excise tax license, including current tax clearance, and
- (4) Proof of a \$50,000 security bond.....

Problem

The vast majority of DOE's responsibilities, since 1939, with regard to Technical and Vocational schools have been eliminated by the new proposed bill but the DOE wants to establish a "Licensure Special Fund" funded by licensure fees and the "General Revenues of the State" to establish a full-time equivalent position within the DOE.

This bill appears to be mainly a funding request to add a position to do a fraction of the work they have been responsible for and doing under the original bill.

Solution: Delete the Licensure Special Fund provision of the bill.

Final Comments

The Maritime License Center agrees that the DOE should not have to be responsible for the regulation of vocational/trade schools. They do not have the expertise in these specialized areas.

With regard to fees. Current fees are \$100 for original licensure and \$50 for a 2 year renewal. These fees have been the same for the past 22 years that the Maritime License Center has been in business. The original bill 1286 proposed raising fees to \$10,000. This would have bankrupted many schools and was thankfully eliminated. The proposed new fees have been left blank. The Maritime License Center believes that a reasonable increase to no more than \$200 initial and \$100 two-year fee can be justified based on inflation over the past 22 years. This would represent a 100 percent increase.