



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

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

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 HIGHER EDUCATION  
AND  
TO THE SENATE COMMITTEE ON TRANSPORTATION AND ENERGY  
TWENTY-NINTH STATE LEGISLATURE  
REGULAR SESSION OF 2017  
FEBRUARY 13, 2017  
1:15 P.M.  
TESTIMONY ON SENATE BILL NO. 651  
RELATING TO POST-SECONDARY EDUCATION

TO THE HONORABLE KAIALI'I KAHELE, CHAIR,  
THE HONORABLE LORRAINE R. INOUE, CHAIR,  
THE HONORABLE MICHELLE N. KIDANI, VICE-CHAIR,  
THE HONORABLE DONOVAN M. DELA CRUZ, VICE-CHAIR,  
AND MEMBERS OF THE COMMITTEES:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on Senate Bill No. 651, Relating to Post-Secondary Education. My name is Bobbi Lum-Mew, Program Administrator for the Department's Hawaii Post-Secondary Education Authorization Program ("HPEAP"). HPEAP offers the following comments with concerns on this bill.

The purpose of Senate Bill No. 651 appears to be to provide a mechanism for a flight school which is accredited and which is approved by the Federal Aviation

Administration, to obtain state approval of its operations. Because this school does not offer associate or baccalaureate degrees, it does not come under HPEAP's jurisdiction. Under Hawaii Revised Statutes ("HRS") Chapter 305J, HPEAP only authorizes private college or universities that offer these types of degrees.

The Hawaii Department of Education licenses private trade, vocational or technical schools which do not offer degrees. Although there is an exception for flying schools qualified under the Federal Aviation Administration, the Hawaii Department of Education has the discretion to regulate any school which falls under an exception.

Hawaii Revised Statutes §302A-424 states as follows:

***[§302A-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 school". [L 1996, c 89, pt of §2]*

As such, there already is a mechanism in place for a flight school to obtain state approval without making any changes to existing law. The Department notes that there is another bill, Senate Bill No. 652, Relating to Private Flight Schools, that has been introduced to specifically address the Hawaii Department of Education's responsibilities.

Thank you for the opportunity to comment with concerns on Senate Bill No. 651.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 6, 2017 3:36 PM  
**To:** HRE Testimony  
**Cc:** mendezj@hawaii.edu  
**Subject:** \*Submitted testimony for SB651 on Feb 13, 2017 13:15PM\*

**SB651**

Submitted on: 2/6/2017

Testimony for HRE/TRE on Feb 13, 2017 13:15PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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