

**HB 2113**

**RELATING TO  
EDUCATION**

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# A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that an educated state  
2 workforce will help to increase government efficiency, provide  
3 quality services to the public, reduce waste, and promote  
4 innovative ideas statewide. The legislature also finds that  
5 providing incentives for individuals to further their education  
6 and seek employment with the State will enhance the State's  
7 ability to improve government services.

8           The legislature declares that providing tuition grants for  
9 certain individuals to attend post-secondary education programs  
10 at the University of Hawaii system in exchange for commitments  
11 to public service is a matter of statewide concern.

12           The purpose of this Act is to provide tuition grants for  
13 individuals who commit to future employment with the State.

14           SECTION 2. Chapter 78, Hawaii Revised Statutes, is amended  
15 by adding a new section to be appropriately designated and to  
16 read as follows:



1           "§78-        University of Hawaii tuition grants for state  
2 employees. (a) The department of human resources development  
3 shall provide grants to fund the tuition of any person who  
4 applies for a grant under this section; provided that the  
5 following conditions are met:

6           (1) The person is a United States citizen or an eligible  
7           noncitizen;

8           (2) The person is admitted to and enrolled in an  
9           undergraduate or community college program of the  
10           University of Hawaii;

11           (3) The person maintains satisfactory academic progress,  
12           as determined by the undergraduate college or  
13           community college program that the person attends;

14           (4) The person is physically present in the State; and

15           (5) The person commits to future employment with the State  
16           in the amount of five years for an associate's degree  
17           or ten years for a bachelor's degree; provided that if  
18           the person does not obtain the associate's or  
19           bachelor's degree, the person shall be obligated to  
20           refund the State for the pro-rata portion of the grant  
21           for the number of credits remaining to obtain the



1 associate's or bachelor's degree; and provided further  
2 that if the person does not fulfill the entire  
3 employment commitment required by this paragraph in a  
4 state position approved by the department of human  
5 resources development, the person shall be obligated  
6 to refund the State for the pro-rata portion of the  
7 grant for the amount of employment commitment  
8 remaining.

9 (b) The department of human resources development shall  
10 develop a list of approved state positions that fulfill the  
11 employment requirements established by this section.

12 (c) As used in this section, an "eligible noncitizen"  
13 means a person who is:

14 (1) A United States permanent resident who holds a  
15 permanent resident card;

16 (2) A conditional permanent resident of the United States;  
17 or

18 (3) The holder of an Arrival-Departure Record (I-94) from  
19 the Department of Homeland Security showing any one of  
20 the following designations:

21 (A) Refugee;



- 1           (B) Asylum granted;
- 2           (C) Parolee; or
- 3           (D) Cuban-Haitian Entrant.

4           (d) The department of human resources development shall  
 5 adopt rules pursuant to chapter 91 that establish eligibility  
 6 for a tuition grant pursuant to this section."



7           SECTION 3. There is appropriated out of the general  
 8 revenues of the State of Hawaii the sum of \$           or so much  
 9 thereof as may be necessary for fiscal year 2018-2019 to pay for  
 10 tuition grants for qualifying students; provided that any  
 11 portion of the sum appropriated that has not been expended by  
 12 June 30, 2019, shall not lapse; provided further that any  
 13 remaining unencumbered balance on June 30, 2020, shall lapse to  
 14 the credit of the general fund.

15           The sum appropriated shall be expended by the department of  
 16 human resources development for the purposes of this Act.

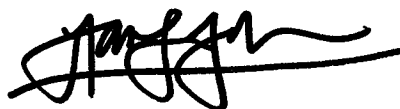
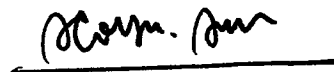
17           SECTION 4. New statutory material is underscored.

18           SECTION 5. This Act shall take effect on July 1, 2018.

19

INTRODUCED BY:   


# H.B. NO. 2113

A handwritten signature in black ink, appearing to be "James" or similar, written over a horizontal line.A handwritten signature in black ink, appearing to be "Comm. on", written over a horizontal line.

JAN 19 2018



# H.B. NO. 2113

**Report Title:**

Future State Employment; DHRD; Tuition Grants; Appropriation

**Description:**

Directs the Department of Human Resources Development to provide University of Hawaii tuition grants to students who commit to future employment with the State. Appropriates moneys.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*



**HB 2113**

**TESTIMONY**



DAVID Y. IGE  
GOVERNOR



RYKER WADA  
INTERIM DIRECTOR

DEPUTY DIRECTOR

**STATE OF HAWAII**  
**DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT**  
235 S. BERETANIA STREET  
HONOLULU, HAWAII 96813-2437

January 31, 2018

TESTIMONY TO THE  
HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT

For Hearing on February 1, 2018  
9:00 a.m., Conference Room 309

BY  
RYKER WADA  
INTERIM DIRECTOR

**House Bill No. 2113**  
**Relating to Education**

**WRITTEN TESTIMONY ONLY**

TO CHAIRPERSON JOHANSON, VICE CHAIR HOLT AND MEMBERS OF THE  
COMMITTEE:

Thank you for the opportunity to provide **comments** on H.B. 2113.

The purpose of H.B. 2113 is to provide tuition grants for certain individuals to attend post-secondary education programs at the University of Hawaii system in exchange for commitments to public service.

While the Department of Human Resources Development (DHRD) appreciates the intent of the bill, we note comments on some of the ambiguities and absences in the bill.

In the current draft, there is no provision for funding or positions for DHRD to administer the program or enforce the collection of funds should and individual not

complete their education program or fail to work the entirety of their commitment.

Depending on the scope of a program such as this, current staffing at DHRD would likely not be able to administer such a program. Aside from the day-to-day work involved with such an endeavor, staffing would likely be needed for administrative review, the internal complaint process and decision making regarding who qualifies for the program. Additionally, there is no guidance regarding how many people this may be offered to or if there is any cap on the amount of funding individually or collectively for the program. This may lead to an unexpected number of individuals qualifying for the program that the State may not be able to find appropriate employment positions for. On a related note, if a reduction-in-force were to occur and grantees were identified, there are no provisions in the measure to guide how this may affect their commitment to State service.

As drafted, if we are pre-selecting individuals for jobs because of their status as grantees, there may be conflicts with the merit principle as defined in HRS 76-1. In short, the merit principle in HRS 76-1 dictates the establishment and maintenance of a civil service system where selection and retention of persons is based upon their fitness and ability for public employment. Statutorily mandating employment based upon enrollment and completion of this program, may have the unintended consequence of conflicting with the merit principle.

Thank you for the opportunity to provide comments on this measure.



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
House Committee on Labor and Public Employment  
February 1, 2018 at 9:00 a.m.

By

Donald O. Straney, Vice President for Academic Planning and Policy  
University of Hawai'i System

### HB 2113 – RELATING TO EDUCATION

Chair Johanson, Vice Chair Holt, and members of the committee:

Thank you for the opportunity to comment on HB 2113 that directs the Department of Human Resources Development to provide University of Hawai'i tuition grants to students who commit to future employment with the State.

The University of Hawai'i has no position on this bill but welcomes working with DHRD in creating a more educated workforce. UH defers to DHRD's position on the implementation and administration of this bill.

Thank you very much for the opportunity to provide comments on HB 2113.

**HB-2113**

Submitted on: 1/30/2018 7:25:16 PM

Testimony for LAB on 2/1/2018 9:00:00 AM

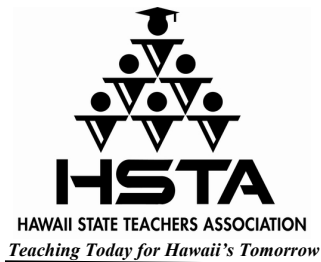
<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alan Urasaki		Support	No

Comments:

In support.

**HB 2113**

**LATE  
TESTIMONY**



**LATE**

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Wilbert Holck  
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON  
LABOR

RE: HB 2113 - RELATING TO EDUCATION

THURSDAY, FEBRUARY 1, 2018

COREY ROSENLEE, PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

Chair Johanson and Members of the Committee:

The Hawaii State Teachers Association **supports and suggests amendments HB 2113**, relating to education.

Hawai'i continues to suffer from a shortage of qualified teachers. According to the DOE's STRIVE HI accountability reports, for the 2017-2018 school year, the state saw 1,011 SATEP vacancies, up from 920 SATEP vacancies in 2016-2017, including a slight increase in SPED SATEP vacancies, from 290 in 2016-2017 to 311 in 2017-2018. As we have noted to the Board of Education at previous hearings, SPED teacher attrition has led to a situation in which 1 out of every 6 SPED teachers have not completed a state-sanctioned teacher training program. Our teacher shortage problem is further clarified in the DOE's 2016-2017 Employment Report, which shows that teacher resignations increased from 781 in 2015-2016 to 850 in 2016-2017. Similarly in-state SATEP hires decreased from 404 to 387 over that time span, while out-of-state SATEP hires increased from 508 to 572. Teacher attrition is worse in high-poverty areas. In the Nanakuli-Waianae Complex Area, for example, an astounding 18 out of 19 SPED teachers hired for the 2017-2018 school year do not have a special education license.

Thus, we support this measure's attempt to subsidize the education of future state employees. That said, we suggest applying the tuition grants proposed by this bill to only existing state employees by amending proposed subsection §78– (a) of this bill to specify existing employment with the state as additional condition for receiving a tuition grant. We also urge you to amend proposed subsection (§78– (a)(5),

accordingly, to specify *continuing* employment with the state as a condition for grant reception and explicitly detail the types of degrees—associates, bachelors, or masters—for which the proposed employment commitments shall apply. Our suggested amendments could be implemented as follows:

**(5) The person is an existing employee of the State;**

**(6) The person commits to continuing employment with the State in the amount of five years for an associates or masters degree or ten years for a bachelors degree; provided that if the person does not obtain the associates, masters, or bachelors degree, the person shall be obligated to refund the State for the pro-rata portion of the grant for the number of credits remaining to obtain the associates, masters, or bachelors degree; and provided further that if the person does not fulfill the entire employment commitment required by this paragraph in a state position approved by the department of human resources development or if the person has been promoted or transferred, the person shall be obligated to refund the State for the pro-rata portion of the grant for the amount of employment commitment remaining.**

To ensure our children are taught by quality educators, the Hawaii State Teachers Association asks your committee to **support** this bill.



## HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Twenty-Ninth Legislature, State of Hawaii  
House of Representatives  
Committee on Labor and Public Employment

Testimony by  
Hawaii Government Employees Association

February 1, 2018

**LATE**

H.B. 2113 – RELATING TO EDUCATION

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO conceptually supports the purpose and intent of H.B. 2113, which creates tuition grants to individuals who commit to future employment with the State.

We appreciate the spirit and intent of creating additional opportunities for employees to further their education by obtaining either a 2-year or 4-year degree at the University of Hawaii in exchange for an employment commitment. This add-on benefit will assist both individual employees by creating additional paths to prosperity, as well as the state by filling highly specialized but challenging to recruit positions and cultivating a committed workforce. We strongly support dedicating more resources and financial opportunities to the state's most valuable asset – its employees.

Thank you for the opportunity to testify in support of H.B. 2113.

Respectfully submitted,

  
for Randy Perreira  
Executive Director