



TO: The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
House Committee on Consumer Protection & Commerce

FROM: Philip J. Bossert, Executive Director
Hawaii Association of Independent Schools

RE: SB 980 HD1 - RELATING TO EDUCATION
In Support

DATE: Thursday, March 28, 2019
2:00 pm, Conference Room 329

Aloha Chair Takumi, Vice Chair Ichiyama and Members of the Committee:

The Hawaii Association of Independent Schools (HAIS) strongly supports SB 980 HD1.

HAIS is a membership organization that currently represents 92 of Hawaii's independent schools; and, in collaboration with the Western Association of Schools & Colleges (WASC) accredits 52 of those 92 institutions. The other 40 institutions are either licensed on behalf of the State by HAIS's subsidiary organization, the Hawaii Council of Private Schools (HCPS) but choose not to be accredited by HAIS/WASC, or they are accredited by some other nationally-recognized educational accrediting body, such as those representing Catholic schools, Christian schools, etc.

In 1995, Act 188 transferred the regulation of Hawaii's private schools to HAIS. The legislature requested that HAIS form a new subsidiary organization to take over the regulatory responsibility from the Hawaii Dept. of Education (HDOE) for licensing of private schools in Hawaii. In a 1998 memorandum of agreement between HDOE and HAIS, HCPS was formed by HAIS to license Hawaii private schools and to ensure that all of Hawaii's private and parochial schools were healthy, safe and sustainable institutions providing a sound education program for Hawaii's children.

In April of 1999, Senate Concurrent Resolution 186 stated that: "The Department of Education has formally recognized the Hawaii Council of Private Schools as the agency responsible for the licensing of all private schools and the Department of Education will recognize work done at schools licensed by the Hawaii Council of Private Schools as substantially equal to work done in Hawaii's public schools." Senate Concurrent Resolution 186 further identified the Hawaii Council of Private Schools as "the regulatory agency for private schools".

HCPS has performed this licensing function since 1998. However, whereas licensing of private schools was mandated prior to 1998 when performed by HDOE and the intent of the 1995 and 1999 legislation was that all private schools be licensed by HCPS, licensing somehow was made “optional but encouraged” when this responsibility was passed on to HAIS/HCPS. As a result, HCPS currently licenses approximately 90 of the nearly 160 schools in Hawaii operating as private educational programs.

An HCPS-licensed school must meet established licensing criteria, which address safety and health, a viable educational program, facilities, governance, administration, faculty/staff, admissions, and finances. Other than DHS which licenses approximately 30 private preschools in Hawaii, there is no organization in Hawaii currently checking on the status of these criteria for currently unlicensed private schools unless they are being accredited by some other accrediting organization and that accreditation process includes the checklist of items required for licensing in Hawaii.

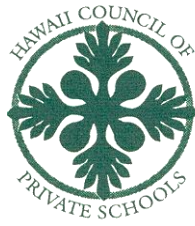
Hawaii currently has a robust and comprehensive system in place — the Hawaii Council of Private Schools — that allows our industry to self-regulate. We recommend that this remain the approved private school licensing procedure, but that the licensing requirement be changed from “optional” to “mandated”, leaving accreditation as optional.

HAIS and HCPS believe it is problematic that there is no requirement which holds unlicensed private schools to current state education standards that are verified by a recognized third-party evaluator. Making licensing optional sends a message that the State does not really care if the schools that provide K-12 education for almost 40,000 students are safe, healthy, educationally sound and financially viable learning environments.

We do not believe that HCPS needs to be the only entity providing that verification, and that such evaluation can be performed as part of the accrediting process carried out by other recognized accrediting bodies as long as it incorporates the licensing checklist. We believe that the language of SB 980 HD1 will accomplish this.

Thus, we strongly support SB 980 HD1, as it was amended, that will require licensure of all private schools through an entity recognized by the State of Hawaii.

Thank you.



March 28, 2019

TO: The Honorable Roy Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
House Consumer Protection and Commerce Committee

FROM: Edna L. Hussey, Board Chair
Hawai'i Council of Private Schools

RE: SB 980 HD1 - RELATING TO EDUCATION
In Support

DATE: Thursday, March 28, 2019
2:00 pm, Conference Room 329

Aloha e Chair Takumi, Vice Chair Ichiyama, and Members of the Committee:

The Hawai'i Council of Private Schools, a subsidiary of the Hawai'i Association of Independent Schools, strongly supports SB 980 HD1.

In 1995, Act 188 deregulated HDOE's licensing of Hawaii private schools. In a 1998 memorandum of agreement between HDOE and HAIS, HCPS was formed by HAIS to license Hawai'i private schools and to ensure that transcripts and credits earned at HCPS-licensed schools would continue to be recognized and accepted as valid.

In April 1999, Senate Concurrent Resolution 186 recognized the Hawai'i Council of Private Schools as a "viable organization in Hawai'i" and further included this language: "The Department of Education has formally recognized the Hawai'i Council of Private Schools as the agency responsible for the licensing of all private schools and the Department of Education will recognize work done at schools licensed by the Hawai'i Council of Private Schools as substantially equal to work done in Hawai'i's public schools." Senate Concurrent Resolution 186 further identified the Hawai'i Council of Private Schools as "the regulatory agency for private schools" and requested at that time the Hawai'i Council of Private Schools prepare biennial reports to the Legislature regarding the Council's duties, functions, processes, and procedures for licensing private schools. Licensing standards and procedures are public information on the Hawai'i Association of Independent Schools website.

The HCPS licensing process is a robust and comprehensive system that has been in place since 1998 and allows our industry to self-license. What is worrisome in our state is that there are no laws that hold unlicensed private schools to our industry standards. We believe all parents should have assurances, including those who choose to send their children to private schools, that those schools provide a safe environment for all children to learn.

There are approximately 90 licensed private schools among nearly 160 schools in Hawaii operating as educational programs. An HCPS-licensed school must meet established licensing criteria, which address safety and health, a viable educational program, facilities, governance, administration, faculty/staff, admissions, and finances. A school must be re-licensed upon the expiration of term of license.

SB 980 HD1 acknowledges HCPS as a viable licensing body of private schools in Hawai'i. Moreover, the new language of the bill also acknowledges that private schools accredited by the Hawai'i Association of Independent Schools, the Western Association of Independent Schools, the Western Catholic Education Association and/or the Association of Christian Schools International are also held to standards of quality schools. Passage of SB 980 HD1 ensures the regulation of private schools in Hawai'i, and thus, the safety and well-being of students, faculty, and staff.

SB-980-HD-1

Submitted on: 3/27/2019 10:02:14 AM

Testimony for CPC on 3/28/2019 2:00:00 PM

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

Comments:

Dear Honorable Committee Members:

Please oppose SB980. Making private schools compulsory could make attending religious schools mandatory, since those are often the schools that are "private." This has the potential to violate our constitutional guarantees of freedom from government-sponsored religion, thus opening the state up to expensive litigation in defense of this type of legislation.

This bill is nothing more than an attempt to reverse declining enrollment of private schools. If private schools want to reverse declining enrollment, perhaps they could start by reducing their typically exorbitant fees.

Thank you for the opportunity to present my testimony.

Andrea Quinn

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