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# A BILL FOR AN ACT

RELATING TO THE HAWAII'I SCHOOL FOR THE DEAF AND BLIND.

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

1           SECTION 1. The legislature finds that the National  
2 Association of State Directors of Special Education recommends  
3 that decisions affecting deaf, hard of hearing, and deaf-blind  
4 students be made by individuals knowledgeable about these  
5 students' educational needs. In Hawaii, there has been a public  
6 school on Oahu operated by the department of education for the  
7 education of deaf, hard of hearing, and deaf-blind students  
8 since 1914, known as the Hawaii school for the deaf and blind  
9 (school).

10           The legislature further finds that over the first century  
11 of the school's existence, there has been a lack of  
12 administrators within the department of education who are  
13 experienced and knowledgeable in deaf education and fluent in  
14 American Sign Language. This lack of expertise by the  
15 department of education's administration has raised concerns  
16 about whether the school is being adequately managed. For  
17 example, principals and vice-principals have been appointed to



1 the school despite having no expertise in deaf education,  
2 American Sign Language-English bilingual education, and American  
3 Sign Language. There has also been an atmosphere of audism,  
4 which is a form of discrimination aimed at persons who are deaf  
5 and the actions that deaf persons engage in to communicate. At  
6 the school, concerns about audism have been raised regarding  
7 people with no expertise in the education of deaf, hard of  
8 hearing, and deaf-blind students making educational decisions  
9 for these students. It has also often led to the exclusion of  
10 deaf stakeholders in the decision-making process.

11 The legislature concludes that for the school to be  
12 successful, it needs independent oversight, similar to the  
13 structure of other schools focused on deaf students, such as the  
14 Colorado school for the deaf and the blind, California school  
15 for the deaf (Riverside and Fremont), and Maryland school for  
16 the deaf. Colorado established a board of trustees for its  
17 school within the Colorado department of education, which is one  
18 of the most successful schools in the nation for the education  
19 of deaf individuals.

20 The legislature finds that an independent, expertise-driven  
21 board of trustees for the school will be able to expedite



1 department of education appropriations needed by the school and  
2 ensure that timely decisions are made. Currently,  
3 appropriations are not made in a timely manner to the school,  
4 which often causes financial hardship. The school also has  
5 numerous facilities issues, such as needed repairs to the  
6 showers in the male dormitory, which forces male students to  
7 walk across campus to take a shower. Furthermore, the hiring of  
8 teachers takes months and has resulted in prospective teachers  
9 finding employment elsewhere.

10 An independent, expertise-driven board of trustees will  
11 also be able to foster an accurate understanding of student  
12 achievement. Currently, the school's students are required to  
13 take state tests, which are not adapted for deaf, hard of  
14 hearing, and deaf-blind students, resulting in a false image of  
15 the school as underachieving. In 2019, for the first time in  
16 over one hundred years, the school received national  
17 accreditation from the Accrediting Commission for Schools  
18 Western Association of Schools and Colleges. The report from  
19 the accrediting commission stated that the school "is doing a  
20 vital and life-changing job that supports high achievement for  
21 deaf students. This high achievement may not be evident in the



1 standardized assessment scores, but it is very evident while  
2 observing the excellent education being delivered in the  
3 classroom, on the field, and in student interaction on campus."

4       The legislature also finds that an independent, expertise-  
5 driven board of trustees will enable the school to engage in  
6 early intervention services. The school is currently unable to  
7 provide educational services to children from birth to three  
8 years of age or to their parents. These formative years of  
9 language acquisition are critical to the future academic and  
10 linguistic success of the school's students. The need to  
11 provide early intervention has been identified by the State but  
12 these services are under the purview of the department of  
13 health. The school, working collaboratively with the department  
14 of health, can be another option for parents and children.

15       Although the Hawaii school for the deaf and blind has  
16 served the children of Hawaii for over 100 years, the purpose of  
17 this Act is to ensure that the needs of the deaf, hard of  
18 hearing, and deaf-blind students of Hawaii are met by  
19 statutorily establishing an independent governance structure for  
20 the Hawaii school for the deaf and blind.



1 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
2 amended by adding a new part to be appropriately designated and  
3 to read as follows:

4 "PART . HAWAII SCHOOL FOR THE DEAF AND BLIND

5 §302A-A Hawaii school for the deaf and blind; governance.

6 There is established a school for the education of deaf, hard of  
7 hearing, and deaf-blind students, to be known as the Hawaii  
8 school for the deaf and blind. The Hawaii school for the deaf  
9 and blind shall be governed by the board of trustees established  
10 pursuant to section 302A-B. No student shall be required to  
11 enroll at or attend the Hawaii school for the deaf and blind.

12 §302A-B Board of trustees of the Hawaii school for the  
13 deaf and blind. (a) There is established a board of trustees  
14 of the Hawaii school for the deaf and blind, to comprise nine  
15 members to be appointed by the governor for staggered terms  
16 pursuant to section 26-34, except as otherwise provided in this  
17 section. The members of the board shall be residents of Hawaii  
18 and shall include the following:

19 (1) At least two members shall be deaf individuals fluent  
20 in American Sign Language and knowledgeable about deaf  
21 education;



1 (2) At least one member shall be a deaf-blind individual  
2 or parent of a deaf-blind individual;

3 (3) At least one member shall be an alumnus or alumna of  
4 the Hawaii school for the deaf and blind;

5 (4) At least one member shall be a parent of a child who  
6 is deaf; and

7 (5) At least one member shall be a deaf individual who is  
8 resident of a neighbor island.

9 The superintendent shall serve as an ex-officio member.

10 (b) The members of the board of trustees shall elect the  
11 chairperson of the board of trustees. The terms of office shall  
12 be three years; provided that of the members initially  
13 appointed, three members shall serve one-year terms, two members  
14 shall serve two-year terms, and three members shall serve three-  
15 year terms. Board of trustee members shall serve not more than  
16 three consecutive three-year terms.

17 (c) The members of the board of trustees shall serve  
18 without compensation but shall be entitled to reimbursement for  
19 necessary expenses while attending meetings and while in the  
20 discharge of duties and responsibilities.



1           (d) The board of trustees shall be responsible for the  
2 management and policy decisions for the Hawaii school for the  
3 deaf and blind; provided that the policy decisions of the board  
4 of trustees shall be consistent with the policies of the board  
5 of education. The board of trustees shall report to the  
6 superintendent. The complex area superintendent for the complex  
7 area that includes the Hawaii school for the deaf and blind  
8 shall supervise the delivery of administrative and instructional  
9 support services to the school pursuant to the direction of the  
10 board of trustees."

11           SECTION 3. In codifying the new sections added by section  
12 2 of this Act, the revisor of statutes shall substitute  
13 appropriate section numbers for the letters used in designating  
14 the new sections in this Act.

15           SECTION 4. This Act shall take effect on December 31,  
16 2059.



**Report Title:**

DOE; Hawaii School for the Deaf and Blind; Board of Trustees;  
Governance; Deaf and Blind Task Force

**Description:**

Creates a board of trustees for the Hawaii school for the deaf  
and blind to establish an independent governance structure for  
the school. Takes effect 12/31/2059. (HD1)

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

