



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

Date: 01/27/2020
Time: 02:45 PM
Location: 229
Committee: Senate Education

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: SB 2271 RELATING TO SAFETY EQUIPMENT.

Purpose of Bill: Requires Department of Education school football programs to ensure that each non-new football helmet used in a football program is reconditioned and recertified at least once every 2 years. Establishes fines and other penalties for failure to properly recertify football helmets. Establishes the football helmet recertification special fund.

Department's Position:

The Department of Education (Department) supports the intent of SB 2271. The Department is reviewing this proposed measure and respectfully offers its comments and concerns.

The Department is responsible for the management of athletic equipment needed to participate in sports activities statewide. (BOE Policy 305-1 Student Safety and Welfare) The Office of Curriculum and Instructional Design (OCID) also produces an annual memo reiterating the importance to inspect and maintain equipment and facilities. (Memo attached)

Currently there are 41 high schools in the Department fielding football teams. As a result of the Board Policy and concurrent annual memo, 38 high schools are reconditioning their football helmets every year (more often than manufacturer recommends) and 3 high schools are reconditioning helmets every two years (as recommended by the manufacturer).

The Department is also concerned with the implementation of the required inspections prior to a football game. The National Federation of State High School Associations (NFHS) rules on football requires the official to verify with the head coach that the players are using proper equipment. The helmets shall be certified with the National Operating Committee on Standards for Athletic Equipment (NOCSAE). It is the head coach's responsibility to verify that their players are properly equipped. If there is a question of required and/or illegal equipment, then the referee would have the final determination. This process of verifying with the head coach is aligned with BOE Policy 305-1 and the OCID memo. It is not feasible for a referee(s) to inspect every helmet prior to the start of a football game, and to retain the helmet until the end of the game resulting in the player being disqualified from the competition before the start of the game.

Additionally, the Department has concerns about the process of schools being fined for infractions, the collection of the fines, and the subsequent distribution of the collected fines.

Thank you for the opportunity to provide testimony on SB 2271.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

ROBERT YU
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 CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON EDUCATION
ON
SENATE BILL NO. 2271

LATE

**January 27, 2020
2:45 p.m.
Room 229**

RELATING TO SAFETY EQUIPMENT

The Department of Budget and Finance has concerns with creation of the Football Helmet Recertification Special Fund (FHRSF).

Senate Bill (S.B.) No. 2271: requires the Department of Education's school football programs to ensure that each non-new football helmet used in a football program be reconditioned and recertified at least once every two years; establishes fines and other penalties for failure to properly recertify football helmets; and establishes the FHRSF. The special fund would generate revenues through fines; however, the bill does not contain an appropriation for the special fund.

As a matter of general policy, the department does not support the creation of any special fund that does not meet the requirements of Section 37-52.3, HRS. Special funds should: 1) serve a need as demonstrated by the purpose, scope of work, and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and

the sources of revenue; 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 S.B. No. 2271, it is difficult to determine whether the proposed special fund would be self-sustaining or why the program cannot be implemented under the general fund appropriation process.

Thank you for your consideration of our comments.

SB-2271

Submitted on: 1/27/2020 1:05:30 PM

Testimony for EDU on 1/27/2020 2:45:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Alexandria Buchanan	Individual	Support	No

Comments: