



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

Date: 03/16/2021

Time: 02:00 PM

Location: 309 Via Videoconference

Committee: House Education
House Higher Education & Technology

Department: Education

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

Title of Bill: SB 0245, SD1 RELATING TO EDUCATION.

Purpose of Bill: Requires the department of education's existing Free Application for Federal Student Aid (FAFSA) working group to create a state plan to make completion of the FAFSA or an opt-out waiver a statewide graduation requirement by the 2023-2024 school year. Requires a report to the 2022 Legislature. Effective 7/1/2050. (SD1)

Department's Position:

The Hawaii State Department of Education (Department) respectfully offers comments on SB 245, SD1.

The purpose of SB 245, SD1 is to establish a working group to create a state plan to make the Free Application for Federal Student Aid (FAFSA) completion, with the option of an opt-out waiver in lieu of FAFSA completion, a statewide graduation requirement by the 2023-2024 school year.

The Department agrees that there is merit in completing the FAFSA as it supports families' access to college and appreciates the opportunity to further investigate this issue through its existing working group. However, the experience of this existing working group has led to the conclusion that FAFSA completion, or the completion of an opt-out waiver in lieu of FAFSA completion, should not be a requirement for graduation because of the following reasons:

- Earning a diploma is based on student proficiency on educational standards and not

based on a parent's behavior such as completing the FAFSA.

- The Department cannot obligate parents to disclose financial information.
- Holding students accountable for a parent decision, especially for undocumented students or other ineligible students, is concerning.
- Requiring FAFSA completion for all students when not all students are eligible for FAFSA benefits is not in alignment with all other graduation requirements that are for all students.
- Requiring all students to complete the FAFSA suggests that going to college is the only path to success. Students who choose direct entry into the workforce or military enlistment are not required to complete the FAFSA. The Department encourages student voice and choice on their post-secondary options and it is unreasonable to require all students to complete the FAFSA when not all students choose to enroll in college immediately after high school.

In consideration of an opt-out waiver in lieu of FAFSA completion, there are additional concerns:

- Families may not submit the opt-out waiver and a student would not meet graduation requirements which would be unfair to hold students accountable for adult decisions.
- Allowing an opt-out waiver for FAFSA completion is inconsistent with all other graduation requirements of which students cannot submit an opt-out waiver.
- Allowing an opt-out waiver for graduation sets a bad precedent of opting out of other graduation requirements.
- Families may immediately submit an opt-out waiver for the sake of not wanting to complete the FAFSA, thus preventing the schools from educating and engaging in further conversations with the families to encourage completion.
- Families may immediately submit the opt-out waiver because it is easier than filling out the application, removing a barrier that would prevent their child(ren) from graduating.

Currently, the Department's FAFSA completion percentage is above the national average. As of February 12, 2021, the Department's FAFSA completion percentage was 44.4% while the national average was 38.9%. We have also experienced a much smaller decrease in the number of applications completed so far this year at 6.1% compared to the much larger national decrease of 9.4%. The current data is consistent with the previous two school years, showing that the Department continuously performs above the national average in FAFSA completion.

Given the Department's experience through its current working group addressing FAFSA completion, the Department respectfully submits that this measure is not needed at this time.

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.

OFFICE OF INFORMATION PRACTICES

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HONOLULU, HAWAII 96813
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EMAIL: oip@hawaii.gov

To: House Committees on Education and on Higher Education & Technology

From: Cheryl Kakazu Park, Director

Date: March 16, 2021, 2:00 p.m.
Via Videoconference

Re: Testimony on S.B. No. 245, S.D. 1
Relating to Education

Thank you for the opportunity to submit testimony on this bill, which would recognize in session law and set standards and requirements for the Department of Education's existing FAFSA working group to create a state plan to make FAFSA completion, or an opt-out waiver for FAFSA completion, a statewide graduation requirement. The Office of Information Practices (OIP) takes no position on the substance of this bill, but has comments and a suggested **amendment** regarding the bill's proposed exemption from the Sunshine Law, part I of chapter 92.

This bill proposes to completely exempt the working group from the Sunshine Law, although it would require it to post some form of minutes with no set requirement as to their level of detail or when they must be posted. OIP notes that the existing informal working group, which is not subject to standards and requirements created by statute or session law, likely does not qualify as a "board" subject to the Sunshine Law, but once given formal recognition in session law as a group charged with forming state policy and required to carry out certain actions, it would otherwise become a Sunshine Law board. Given the Legislature's intent to change the existing informal working group into a formally recognized group

required to take specified actions, it is not obvious why the proposed working group would need a complete exemption from the Sunshine Law to be able to effectively consider the proposal to make FAFSA completion a high school graduation requirement, as the issues it is required to consider do not seem to be ones that would involve discussions of individually identifiable student information on any kind of a regular basis. Further, OIP notes that the proposal to require students to complete the FAFSA to graduate from high school is likely to be of high interest to public high school students and their parents or guardians, particularly since completing the FAFSA requires a student's parents or guardians to provide extensive financial information and tax return information. **It is likely that members of the public will be interested in weighing in on this issue, yet this bill would not allow them to provide testimony to the working group or attend its meetings, but only to read minutes posted at some unspecified time after a meeting has taken place.**

OIP notes that the working group probably includes government officials and employees who may need to discuss college financial aid issues with one another as part of their usual jobs. **If there is a concern that the Sunshine Law's requirements would constrain their ability to talk with one another about financial aid issues as needed for their usual jobs, these Committees could address that by adding a permitted interaction** allowing less than a quorum of members to talk about board business together, while still allowing for public participation consistent with the purpose and intent of the Sunshine Law.

Thus, OIP would strongly recommend that these Committees either remove entirely the Sunshine Law exemption at bill page 4, lines 12-16, or replace it with a permitted interaction allowing less than a quorum of members to talk together. If the Committees prefer the option of replacing the

exemption with a permitted interaction, OIP would recommend the following language:

Two or more members of the working group, but less than the number of members that would constitute a quorum for the working group, may discuss between themselves matters relating to official business of the working group to enable them to faithfully perform their duties to the working group and the organizations they represent, as long as no commitment to vote is made or sought. Such discussions shall be a permitted interaction under section 92-2.5, Hawaii Revised Statutes.

Thank you for considering our comments and recommendation.



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lwv-hawaii.com | 808.531.7448 | voters@lwv-hawaii.com

HOUSE COMMITTEE ON EDUCATION
HOUSE COMMITTEE ON HIGHER EDUCATION & TECHNOLOGY
Tuesday, March 16, 2021, 2 pm, State Capitol Room 309
SB 245, SD 1
Relating to Education

Douglas Meller, Legislative Committee, League of Women Voters of Hawaii

Chair Woodson, Chair Takayama, and Committee Members:

The League of Women Voters of Hawaii requests amendment of SB 245, SD 1.

The League requests amendment of Section 2 paragraph (d) of this bill so that the FAFSA completion working group is subject to Part I of Chapter 92, Hawaii Revised Statutes. There is no compelling justification to exempt this working group from any requirement of the Sunshine Law.

Thank you for the opportunity to submit testimony.



**Testimony to the House Committee on Education and
House Committee on Higher Education
Tuesday, March 16, 2021 at 2:00 P.M.
Written Testimony**

RE: SB 245, SD 1, RELATING TO EDUCATION

Chairs Woodson and Takayama, Vice-Chairs Kapela and DeCoite, and Members of the Committees:

The Chamber of Commerce Hawaii ("The Chamber") **supports** SB 245, SD 1 which requires the Department of Education's existing Free Application for Federal Student Aid (FAFSA) working group to create a state plan to make completion of the FAFSA or an opt-out waiver a statewide graduation requirement by the 2023-2024 school year.

The Chamber is Hawaii's leading statewide business advocacy organization, representing 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

In 2018, Hawaii students left \$10 million in unclaimed federal Pell Grants, while nationally, that total was nearly \$2.6 billion in unclaimed federal financial aid for higher education for high school graduates of the class of 2018 as a result of not filling out FAFSA applications despite being eligible. It is estimated that 90% of students who complete the FAFSA will attend college, as opposed to 55% of those who don't. The Hawaii Department of Education has set a goal to have 90% of high school seniors complete the FAFSA for the 2020 year, but there are some worries that this goal will not be met.

Through this working group, the state can take the first step to guaranteeing that we are able to help our students with completing the FAFSA for those considering post-secondary education. Students who might not have thought they could go to college due to financial situations, may now have an opportunity to do so, because of the access to federal aid. We need to help ensure that our students are offered the best education in order to prepare them for college and their future roles in the modern workforce.

Thank you for the opportunity to provide testimony.



david.miyashiro@hawaiikidscan.org
hawaiikidscan.org

David Miyashiro
Executive Director

March 16, 2021

Committee on Education
Rep. Justin H. Woodson, Chair
Rep. Jeanne Kapela, Vice Chair

Committee on Higher Education & Technology
Rep. Gregg Takayama, Chair
Rep. Lynn DeCoite, Vice Chair

State Capitol
415 South Beretania Street
Honolulu, HI 96813

Aloha Chairs Woodson and Takayama, Vice Chairs Kapela and DeCoite, and Members of the Committees,

HawaiiKidsCAN strongly supports **SB245 SD1**, which requires the Department of Education's existing Free Application for Federal Student Aid (FAFSA) working group to create a state plan to make completion of the FAFSA or an opt-out waiver a statewide graduation requirement by the 2023-2024 school year. Requires a report to the 2022 Legislature.

Founded in 2017, HawaiiKidsCAN is a local nonprofit organization committed to ensuring that Hawaii has an excellent and equitable education system that reflects the true voices of our communities and, in turn, has a transformational impact on our children and our state. We strongly believe that all students should have access to excellent educational opportunities, regardless of family income levels and circumstances.

In today's challenging economy, a post-secondary credential is more important than ever, especially two and four year degrees. Unfortunately, just 55% of Hawaii public school graduates from the class of 2018 completers enrolled in postsecondary institutions nationwide (vocational or trade schools, 2- or 4-year colleges) in the fall following graduation.

Students who complete the FAFSA are more likely to enroll in college; 90 percent of students who complete the FAFSA enroll in college directly from high school, compared to just 55 percent of non-completers. Louisiana is a national success story, jumping from 44% in FAFSA completions to nearly 80% due in large part to a graduation requirement. Nearly 1,600 more students enrolled in college as a result versus the previous year, and over 2,500 more students of color, nearly 5,000 more economically disadvantaged students and 400 more students with

disabilities enrolled in college in 2018 than did in 2012.

According to official Hawaii DOE materials and cited by the Honolulu Star-Advertiser, Hawaii students missed out on \$10 million in unclaimed federal Pell Grants in 2018, which require the FAFSA. Given family financial hardships brought on by the COVID-19 pandemic, this federal financial support is life-changing. Furthermore, the FAFSA is a basic requirement to access state financial aid such as the Hawaii Promise Program.

SB245 SD1 would establish an unconditional opt-out mechanism to protect personal choice, so no diplomas would be withheld. Rather than forcing anyone to do something they don't want to do, SB245 SD1 helps to create a subtle mindset shift around college access by asking students and schools "why not" know financial aid options vs "why should." This is similar to efforts in support of automatic voter registration, which are predicated on the idea of increasing voter participation.

By making FAFSA a graduation requirement, it will only increase the attention and support on the whole college application and enrollment process and increase the ability to support students. A graduation requirement for FAFSA would help enhance quality efforts already happening in the state.

While the current FAFSA completion percentage of 44% for Hawaii DOE students is commendable in the face of extreme challenges this past year, we also should recognize that the major financial hit families have taken as a result of pandemic likely necessitates that even more students would benefit from federal financial aid.

Mahalo for your consideration,

David Miyashiro
Founding Executive Director
HawaiiKidsCAN



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

**HEARING BEFORE THE HOUSE COMMITTEE EDUCATION AND THE
COMMITTEE ON HIGHER EDUCATION & TECHNOLOGY
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 309
TUESDAY, MARCH 16, 2021 AT 2:00 P.M.**

To The Honorable Justin H. Woodson, Chair;
The Honorable Jeanne Kapela, Vice Chair;
Members of the Committee on Education;

To The Honorable Gregg Takayama, Chair;
The Honorable Lynn DeCoite, Vice Chair;
Members of the Committee on Higher Education & Technology;

SUPPORT SB245 RELATING TO EDUCATION

Aloha, my name is Pamela Tumpap. I am the President of the Maui Chamber of Commerce, in the county most impacted by the COVID-19 pandemic in terms of our dependence on the visitor industry and corresponding rate of unemployment. I am writing share our support of SB245.

The Maui Chamber of Commerce supports a working group to look at how students who want to go to college and their parents can be encouraged to and receive more help to complete FAFSA. According to the FAFSA website, it takes an average of 55 minutes to complete the form, plus additional hours to collect the needed information. This can be overwhelming for parents and students alike and support and education on this process would be valuable. This is an important effort to capture federal money to get those students to college with better opportunities and will need special resources, outreach and education to parents and students.

However, we feel strongly that failure to complete the FAFSA or opt-out waiver should not bar a student from graduating. During this pandemic especially, parents and students have many things taking up their time and attention and there are many reasons why they may get distracted and forget to turn in paperwork and it would be a disservice to students to not allow them to graduate for failing to turn in the opt-out waiver. We feel the working group should be empowered to create a plan to get more FAFSA's completed in a positive manner without this restriction.

We appreciate the opportunity to testify on this matter and provide comments and ask that this bill be passed.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



Committee on Education
Committee on Higher Education & Technology

Pō‘alua, Malaki 16, 2021
Via Wikiō
Ke Kapikala Moku‘āina
415 South Beretānia Street

Re: SB245 SD1 - RELATING TO EDUCATION

Aloha Luna Ho‘omalu Justin H. Woodson, Hope Luna Ho‘omalu Jeanne Kapela, Luna Ho‘omalu Gregg Takayama, Hope Luna Ho‘omalu Lynn DeCoite and members of the House Committees on Education:

The Association of Hawaiian Civic Clubs **SUPPORTS** the intent of SB245 SD1. This bill for an act requires the department of education's existing Free Application for Federal Student Aid (FAFSA) working group to create a state plan to make completion of the FAFSA or an opt-out waiver a statewide graduation requirement by the 2023-2024 school year. This bill for an act will help ensure that our local students that pursue higher education will be able to take advantage of Federal grants, loans, and private scholarships.

The Association has a kuleana to “assist in furthering the education...of those of Native Hawaiian ancestry...” (AHCC Const. Art 2 Sec. 2(f)). The Association has a history of advocating for financial support including financial aid and scholarships for Native Hawaiians and other underrepresented groups to pursue higher education. This is demonstrated through our member clubs’ scholarship programs and through resolution 2010-19, whereby the Association urged the state to support funding of Native Hawaiian serving programs at the University of Hawai‘i, and in resolution, 2010-20 whereby the Association supports scholarships, fellowships, and other academic programs which give preference to underrepresented groups.

According to the Office of Hawaiian Affairs, Native Hawaiian students make up 26.0% of the total public school system K-12 student population, and would also benefit from the statewide FAFSA graduation requirement. Compared to other ethnic groups, Native Hawaiian students experience higher economic and social stressors in completing their degrees. For example, Native Hawaiian students often work full- or part-time to fulfill their need in providing income for themselves and family, thus taking a one-year longer to complete their degrees compared to other ethnic groups. These impacts on Native Hawaiian student persistence and completion rates are consequences of poor access to available resources – like financial aid – combined with the need to support themselves and family financially in Hawai‘i’s high cost of living environment.

Completion of the FAFSA is an important step for students, including Native Hawaiian students, to find financial assistance in their transition from secondary to postsecondary education. Students who complete the FAFSA are more likely to enroll in college; 90 percent of students who complete the FAFSA enroll in college directly from high school, compared to just 55 percent of non-completers.

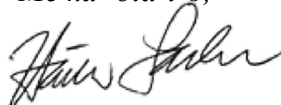
According to official Hawaii DOE materials and cited by the Honolulu Star-Advertiser, Hawaii students missed out on \$10 million in unclaimed federal Pell Grants in 2018, which require the FAFSA. This bill would establish an unconditional opt-out mechanism to protect personal choice, so no diplomas would be withheld.

Thus, the Association respectfully urges the committees to **PASS** SB245 SD1.

The civic club movement was founded in 1918 by Congressional Delegate Prince Jonah Kūhiō Kalaniana‘ole with the creation of the Hawaiian Civic Club; the Association was formally organized in 1959 and has grown to a confederation of over sixty (60) Hawaiian Civic Clubs located throughout the State of Hawai‘i and the United States. The Association is the oldest Hawaiian community-based grassroots organization. The Association is governed by a 16-member Board of Directors; advocates for improved welfare of Native Hawaiians in culture, health, economic development, education, social welfare, and nationhood; and perpetuates and preserves language, history, music, dance and other Native Hawaiian cultural traditions.

Mahalo for allowing us to share our *mana‘o*.

Me ka ‘oia‘i‘o,



Hailama Farden

Pelekikena

SB-245-SD-1

Submitted on: 3/14/2021 10:32:35 AM

Testimony for EDN on 3/16/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
chelsea pang	Individual	Support	No

Comments:

- SB245 SD1 would establish an unconditional opt-out mechanism to protect personal choice, so no diplomas would be withheld.
- Rather than forcing anyone to do something they don't want to do, SB245 SD1 helps to create a subtle mindset shift around college access by asking students and schools "why not" know financial aid options vs "why should." This is similar to efforts in support of automatic voter registration, which are predicated on the idea of increasing voter participation.
- By making FAFSA a graduation requirement, it will only increase the attention and support on the whole college application and enrollment process and increase the ability to support students. A graduation requirement for FAFSA would help enhance quality efforts already happening in the state.

SB-245-SD-1

Submitted on: 3/15/2021 9:07:14 AM

Testimony for EDN on 3/16/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacey Waterhouse	Individual	Oppose	No

Comments:

I strongly oppose Senate Bill 245 SD1 requiring the Free Application for Federal Student Aid (FAFSA) to become a graduation requirement as it does NOT take into account the external factors that will impact a student's ability and/or immediate need for completion. While the idea has merit on paper, its efforts will be lost without a doubt in its execution and may result in additional negative consequences.

Completion of the FAFSA should NOT have any relevance upon a student earning their high school diploma as it does not directly correlate to student academic performance/achievement. Students who struggle to complete their courses with passing marks (already overwhelmed with current expectations), who come from disrupted homes (unable to obtain financial information from parent/guardian), or who are not seeking a traditional post-secondary education (due to religious reasons related to mission work, plans to join the military, pursuit of trade skills credentialing, need to immediately enter workforce to provide for family), will be negatively impacted. If implemented I fear an increase in student dropouts and those seeking the GED path, merely because they've been tasked with another obstacle to grapple with. Meanwhile, giving students/families the opportunity to "opt-out" misrepresents the idea of "requirements" and may suggest that other similar expectations can be dismissed.

As a college counselor, I'm an advocate for completing the FAFSA, as are the majority of my peers. Collectively we recognize the importance of the FAFSA. Statistics support this correlation indicating HIDOE has performed above the national average over the past three years due to the support of multiple agencies outside of their own campuses as the Department does not provide the resources (physical, technological and/or human) that require financial guidance expertise. If passed, what additional resources will be allocated to support the already financially strapped HIDOE and charter schools support this request? Many counselors currently utilize resources and support from P-20 and other agencies. We rely on their assistance, but are unsure what additional support the State can provide if we are expected to go beyond our current threshold.

Unfortunately adding this requirement, with the hopes of providing financial assistance to students struggling with hardships will not translate to an increase in college enrollment. Louisiana, the first state to require FAFSA completion as a graduation requirement, has not seen a positive impact on college enrollment rates since the implementation of their bill three years ago.

Yes, completing the FAFSA is a good thing, but realistically it has NO place as a graduation requirement and certainly should NOT be expected to be completed by ALL students.