

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

February 14, 2022

TO: The Honorable Joy A. San Buenaventura, Chair
Senate Committee on Human Services

FROM: Cathy Betts, Director

SUBJECT: SB 2587 – RELATING TO THE YOUTH COMMISSION.

HEARING: February 15, 2022, 3:10 pm
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) comments on this measure.

PURPOSE: The purpose of this measure is to require the Youth Commission to appoint an Executive Director.

The Department supports the mission of the Youth Commission, which is to advise the governor and Legislature on the effects of legislative policies, needs, assessments, priorities, programs, and budgets concerning the youth of the State. Section 352D-11, Hawaii Revised Statutes. As the Youth Commission is attached to the Office of Youth Services, which is attached to DHS, the current administrator of the Youth Commission is a civil service employee of the DHS. As such, the proposed exempt Executive Director of the Youth Commission would also be a DHS employee and will be expected to follow and comply with all applicable state and federal laws and policies and procedures of the Office of Youth Services and the DHS.

From an employment perspective, to vet potential candidates for the proposed Executive Director position, commissioners should have the education or relevant work experience to make the hiring decision. The Legislature should consider that the authority and

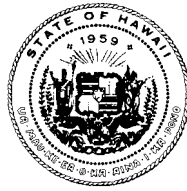
responsibility for making employment decisions come with inherent liability, including potential negligent hiring or discrimination claims. When commissioners are still minors, it is unlikely they would have the education or relevant work experience to be considered legally responsible for those employment decisions.

The bill refers to appointing the Executive Director. However, it is silent on the other typically related employment matters, such as conducting performance evaluations and discharging the Executive Director, if necessary. The Department requests clarification as to who will be responsible for those activities and decisions.

Also, the bill does not appropriate the additional exempt position to make the needed change to the position count or provide additional funds for the exempt position. The Department also requests clarification whether the proposed executive director will replace the existing children and youth program specialist that staffs the commission or whether there will be two positions. At this point, it is unclear whether there is a workload for two full-time employees.

DHS suggests that the commissioners discuss with OYS ways to participate in the selection process to fill the current administrator position.

Thank you for the opportunity to provide testimony on this matter.



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
OFFICE OF YOUTH SERVICES
1010 Richards Street, Suite 314
Honolulu, Hawaii 96813

February 14, 2022

TO: The Honorable Senator Joy A. San Buenaventura, Chair
Senate Committee on Human Services

The Honorable Senator Les Ihara, Jr., Vice Chair
Senate Committee on Human Services

FROM: Leanne Gillespie, Acting Executive Director

SUBJECT: SB 2587 RELATING TO THE YOUTH COMMISSION

Hearing: Tuesday, February 15, 2022 at 3:10 p.m.
State Capitol Room 225 & Videoconference

OFFICE'S POSITION: The Office of Youth Services (OYS) supports the intent of this measure, offers comments and requests clarification. OYS defers to the Departments of Human Services (DHS) and Department of Human Resources Development regarding issues related to human resources. OYS respectfully requests that any general fund appropriation not reduce or replace budget priorities identified in the executive budget.

PURPOSE: The purpose of the measure is to authorize the Hawaii State Youth Commission to appoint an Executive Director to oversee the administration of the Youth Commission.

The Office of Youth Services strongly supports the Youth Commission's mission and its ability to provide strong youth voice in advising the governor and effecting legislative policies as they relate to youth issues in the State. Signed into law in 2018, Act 106 established the Youth Commission and appropriated funds for administration costs and one Children and Youth Program Specialist staff position.

The Office of Youth Services requests clarification as to the Executive Director position being established in lieu of the previously established staff position, and request that the OYS

be authorized to redescribe this staff position to a general Children and Youth Program Specialist position at OYS, and further requests the appropriation of additional funds as necessary to establish this new Executive Director position for the Youth Commission.

The OYS also requests clarification on the employment, oversight, and management processes of this position, that will be overseen by the youth commissioners, ranging in ages 14 to 24 years.

Thank you for the opportunity to present this testimony.

HAWAII YOUTH SERVICES NETWORK

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Carole Gruskin, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters Hawaii

Big Island Substance Abuse Council

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children's Justice Center of Maui

Get Ready Hawai'i

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action Network

Hawaii Health & Harm

Reduction Center

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Kokua Ohana Aloha (KOA)

Maui Youth and Family Services

Na Pu'uwai Molokai Native

Hawaiian Health Care Systems

P.A.R.E.N.T.S., Inc.

Parents and Children Together (PACT)

PHOCUSED

PFLAG - Kona Big Island

Planned Parenthood of the

Great Northwest and

Hawaiian Islands

Residential Youth Services

& Empowerment (RYSE)

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community Center

The Catalyst Group

February 13, 2022

To: Senator Joy San Buenaventura, Chair,
And members of the Committee on Human Services

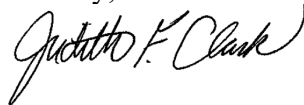
TESTIMONY IN SUPPORT OF SB 2587 RELATING TO THE YOUTH COMMISSION

Hawaii Youth Services Network, (HYSN) a statewide coalition of youth-serving organizations, supports SB 2587 Relating to the Youth Commission.

Boards and commissions are more effective when they have dedicated staffing to provide the needed administrative supports. Most Hawaii State Boards and Commissions have an Executive Director. Examples include the Disabilities and Communications Access Board and the Developmental Disabilities Council.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH
Executive Director

LATE

Testimony on behalf of
Individuals of the Hawaii State Youth Commission

IN SUPPORT OF SB2587

February 14th, 2022

To: The Honorable Joy A. San Buenaventura, Chair
The Honorable Les Ihara, Jr., Vice Chair
Members of the Committee of Human Services

From: Kaneala Peters-Clark, Kierra Thompson, Maile Crowe, Keola Kaniho

As members of the Hawaii State Youth Commission submitting testimony as individuals, we are in full support of the bill SB2587. This bill would be amending the current language in Act 106.

We feel that there are many Commissions that appoint their own Executive Director, and the Youth Commission deserves that same right. We want to be able to pick someone that will work well with the Commission, will support us in the ways we need, and will demonstrate an understanding of Legislative or Government policies. Someone who also will be flexible and open to new ideas.

Bill SB2587 would give the Commission some autonomy in performing its duties and functions as a State Commission and power to pick our guidance.

We want to clarify that we are submitting this testimony as INDIVIDUALS and not on behalf of the whole Hawaii State Youth Commission but as members, we feel strongly about the passing of this bill.

Mahalo nui loa,
Kaneala Peters-Clark
Kierra Thompson
Maile Crowe
Keola Kaniho