

DAVID Y. IGE GOVERNOR SHAN S. TSUTSUI

# STATE OF HAWAII OFFICE OF THE DIRECTOR DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

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# PRESENTATION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

TO THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

TWENTY-EIGHTH LEGISLATURE Regular Session of 2016 Thursday, February 11, 2016 5:00 p.m.

# TESTIMONY ON HOUSE BILL NO. 2454, RELATING TO LICENSING OF PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOL.

TO THE HONORABLE ANGUS L.K. McKELVEY, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Catherine Awakuni Colón, Director of the Department of Commerce and Consumer Affairs ("DCCA"). DCCA appreciates the opportunity to provide testimony in **opposition** to House Bill No. 2454, Relating to Licensing of Private Trade, Voctional, and Techinical School.

House Bill No. 2454 provides for the transfer of regulatory oversight of private trade, vocational, and technical ("PTVT") schools from the Department of Education ("DOE") to DCCA. DCCA strongly supports quality education in this State, no matter the type or level of instruction, so it is unclear why transferring DOE's long-standing PTVT licensing program ("Program") is necessary or appropriate at this time.

Per Senate Concurrent Resolution No. 46, S.D.1 ("SCR46"), DCCA and DOE worked collaboratively to gather information on the Program (i.e., surveys of PTVT schools, interviewed licensees, review of current laws and rules). Based on input from currently operating PTVT schools, the Program appears to continue operating successfully without major criticism from the licensee population. DOE timely processes license applications and renewals, and past/present staff have remained knowledgeable and diligent in providing the assistance needed. Further, there did not appear to be the need for either heightened consumer protections in this area or a greater role for DCCA.

By contrast, DCCA is concerned that transferring the Program as proposed would create genuine problems for PTVT schools and their students. Moving the program from a general funded agency to a special funded agency would necessarily require a significant fee adjustment that would be borne by the licensees. If DOE believes that its Program is operationally burdensome, DCCA recommends that focused adjustments be made to the Program within DOE to help that agency effectively manage its educational oversight responsibilities.

DOE, as the long-time administrator of this Program and the department whose mission is education, is the most appropriate agency to continue overseeing PTVT schools and the educational services they provide. Chapter 302A, Hawaii Revised Statutes ("HRS"), requires the Program to review of things like standards and method of instruction, and equipment provided. DOE's administrative rules for the Program provide for site inspection, and approval of curriculum of PTVT schools. Further, trade/vocational/technical education, like the State's adult education program, is an

accepted part of DOE's mandate, as evidenced by a number of measures introduced this legislative session.<sup>1</sup>

In addition, DOE has in-house expertise in educational licensing via the Hawaii Teachers Standards Board<sup>2</sup> ("HTSB") that could be a valuable resource to DOE and the Program. HTSB is responsible for establishing licensing standards for Hawaii teachers, including procedures for initial issuance and renewal of teacher licenses, the establishment of teacher license penalties by rule, and the conditioning/revoking/suspending of licenses.

DCCA, on the other hand, is unfamiliar with the state and federal laws, rules, and industry standards that would apply to a qualitative oversight of PTVT schools.

Just as important, the Program review per SCR46 did not uncover significant problems that would necessitate a transfer. A survey of licensees indicated instead that the Program is working well, with past and present DOE staff successfully administering the Program. The review also did not discover any significant risk to students of PTVT schools that would require increased DCCA involvement beyond the protections that are already set up in the State's consumer protection laws, or a full transfer.

DCCA has offered a number of solutions through the SCR46 review process to help streamline DOE's Program in lieu of a full transfer. These solutions included revising existing statutes and rules to eliminate unnecessary procedures, increase fees,

<sup>&</sup>lt;sup>1</sup>See S.B. No. 2589, Relating to Education (expanding vocational, technical, and career pathway programs). See *also* H.B. No. 2733, Relating to Education (part III of this bill also expands vocational, technical, and career pathway programs).

<sup>&</sup>lt;sup>2</sup>HRS § 302A-801(b) states that the HTSB shall be composed of a diverse group of educational professionals "that will best serve the diverse interests and needs of elementary and secondary school personnel and the education system in Hawaii from early childhood through higher education."

and provide DOE with additional regulatory authority to streamline the Program; considering a more limited scope of licensing, where appropriate, to reduce workload; and providing more resources to DOE for administering the Program. DCCA also expressed a willingness to provide appropriate assistance to Program staff.

Without more apparent issues for the DOE Program, no other actions seem necessary. The Program has been administered by DOE since 1939, and, while the Legislature has had ample opportunity to consider whether the Program is better aligned with another agency's mission,<sup>3</sup> it has remained with DOE for nearly 80 years.

DCCA is concerned that a transfer would have significant negative impacts for a number of existing PTVT schools and their different students. Specifically, moving the Program to DCCA would result in considerable increases in licensing costs for PTVT schools that would impact school operations and the instruction provided to students. DOE currently assesses licensing fees of \$100 (initial application) and \$50 (renewal application) for each of its roughly 30 PTVT school licensees. DCCA operates under a funding model different from DOE and most other state agencies, where regulatory programs administered by DCCA are directly funded by the fees paid entities regulated by the respective programs. As a special-funded department, the costs associated with a new program cannot be borne by other licensee types.<sup>4</sup>

Establishing and operating a new regulatory program under DCCA for a limited number of PTVT schools would increase licensing fees for schools by at least several

<sup>&</sup>lt;sup>3</sup> Ensuring educational quality has long been a primary focus of the PTVT school program, even under the current DOE Program language in HRS § 302A-425.

<sup>&</sup>lt;sup>4</sup>See HIC v. Lingle, 120 Hawaii 51, 201 P.3d 564 (2008).

thousands of dollars per school, per two-year licensing period.<sup>5</sup> Many of the existing

PTVT schools are smaller operations with a limited number of students to shoulder the

increased licensing costs. DCCA is concerned that transferring the Program would

make operating a PTVT school in this State even more difficult for programs that offer

critical vocational and career training for Hawaii's citizens.

It is unclear what value the proposed transfer would provide to the State or PTVT

schools and their students. Without more evidence of potential consumer harm, it is

unclear to DCCA what additional protections a transfer would create, while it does

appear that educational quality within the PTVT schools could be diminished.

DCCA thanks the Committee for its consideration and believes alternative

solutions, such as those proposed in the SCR46 Report, will best assist DOE in

administering the Program without also creating significant disruption to the operations

of PTVT schools serving Hawaii.

Thank you for the opportunity to provide testimony on this measure. I will be

happy to answer any questions the members of the Committee may have.

<sup>5</sup>As a comparison, the Hawaii Post-Secondary Education Program ("HPEAP") under DCCA has current authorization and re-authorization fees of \$10,000 per school, per two-year authorization cycle, with additional fee adjustments pending to better cover the costs of operations. HPEAP looks at the business operations of accredited, degree-granting institutions only and specifically does not cover non-degree-granting post-secondary educational institutions licensed by the State.



# STATE OF HAWAII DEPARTMENT OF EDUCATION

P.O. BOX 2360 HONOLULU, HAWAI`I 96804

> Date: 02/11/2016 Time: 05:00 PM Location: 325

Committee: House Consumer Protection and

Commerce

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 2454 RELATING TO LICENSING OF PRIVATE TRADE.

VOCATIONAL, AND TECHNICAL SCHOOL.

**Purpose of Bill:** Transfers administration of the licensing and regulation program for

private trade, vocational, and technical schools from the department of

education to the department of commerce and consumer affairs.

#### **Department's Position:**

The Department of Education (Department) supports HB 2454.

Licensing Private Trade Vocational Technical schools is misaligned with the DOE's primary mission. Its mission is focused on K-12 education to ensure that all public school students can reach their fullest potential and attain their aspirations in the 21st century.

Given the Department's budgetary constraints and restrictions, PTVT administration by the DOE continues to and has taken away valuable resources and time that should be solely focused on providing direct services and supports for Hawaii public schools, educators and students. Additionally, the Department acknowledges its inability to properly administer a regulatory program that is not compatible with the Department's primary mission.

The Department is willing to continue to work together with DCCA and with all legislative chairs towards a mutually agreeable resolution on this measure.

Thank you for this opportunity to provide testimony on HB 2454.



JAN K. YAMANE Acting State Auditor

(808) 587-0800 auditors2@auditor.state.hi.us

# TESTIMONY OF JAN K. YAMANE, ACTING STATE AUDITOR, ON HOUSE BILL NO. 2454 RELATING TO LICENSING OF PRIVATE TRADE, VOCATIONAL AND TECHNICAL SCHOOL

#### **House Committee on Consumer Protection and Commerce**

February 11, 2016

Chair McKelvey and Members of the Committee:

Thank you for the opportunity to testify in support of HB 2454. The purpose of the bill is to transfer the licensing and regulation program for private trade, vocational, and technical schools from the Department of Education to the Department of Commerce and Consumer Affairs.

As you know, one of the recommendations we made in our Report No. 02-08, *A Study on the Licensing of Private Trade, Vocational, and Technical Schools* (April 2002) was for the Legislature to consider transferring the licensing program to DCCA. This bill would effectuate that recommendation.

Thank you for the opportunity to testify in support of HB 2454.

To: The House Committee on Consumer Protection and Commerce

28th Legislature, Regular Session of 2016

Rep. Angus L.K. McKelvey, Chair

Rep. Justin H. Woodson, Vice Chair

Testimony RE: **House Bill 2454**, Relating to the Licensing of Private Trade, Vocational, and Technical Schools

Wednesday, February 10, 2016

Testifying: Mark Olson, Ph.D., Director, Pacific Center for Awareness and Bodywork

Honorable Chairperson and Members of these Committees:

I am Dr. Mark Olson, the Owner and Director of a massage therapy school on Kaua'i that has been licensed by the DOE for over two decades. I strongly oppose the transference of Private Trade, Vocational, and Technical School licensure from the Department of Education to the DCCA. I specifically oppose transference of licensure for massage schools to the Board of Massage.

The following outlines some of the reasons for my opposition.

- 1. Our schools are educational institutions that belong under the DOE, which is already knowledgeable about education and instruction and already has a streamlined application process. The Board of Massage licenses massage therapists and massage establishments, not schools. We are a massage school, not a massage establishment. The Board of Massage is poorly suited for this task.
- 2. Removing the DOE license will make it more difficult to obtain (and maintain) national accreditation since accreditors often require some of the criteria (e.g. instructor approval) that the DOE has and that the DCCA does not have. While my school has not been accredited in the past, it's my intention as the new owner and director to obtain accreditation so that students could obtain financial aid. Without certification from the

- DOE, accreditation, and thus financial aid, won't be possible.
- 3. Removing the DOE license will reduce the credibility of the school in the eyes of the public. The resulting lack of public trust would harm our marketing efforts and would result in the reduction of skilled professionals trained in Hawaii to serve Hawaii's consumers. I bought this school two years ago because it had the prestige of being a DOE-licensed school—I would not have made such an investment otherwise.
- 4. Moving licensing to DCCA will likely incur additional fees that would be passed onto students, which in many cases would prevent them from taking this first step in their career.
- 5. Our license with the DOE is valid until August 31, 2017, and we worked hard to complete our applications last year in order to receive this 2-year license for both the school and all of our instructors. This bill wants to hit the reset button on July 1, 2016. Not only does this completely disrespect the hard work put into getting the last application approved, but it sets a completely unrealistic and unfair goal of making the schools learn a whole new application process and submit it in a short period of time. Furthermore it would not be possible for a new agency to create all the forms and procedures necessary in time to have schools approved by July 2016.
- 6. The Board of Massage has an infamous reputation of being very unresponsive, behind the times, and consistently dysfunctional in its administrative duties (e.g. losing materials, taking weeks to respond and process requests, having unfriendly and unhelpful staff, sending outdated information, etc.). Why give them additional duties that they are not suited for when they are already at capacity? The DOE already has a smooth and streamlined process, so leave the licensing with DOE.

Please defeat this bill. Thank you for considering this testimony.

Mark Olson, Ph.D.

Director, Pacific Center for Awareness and Bodywork
PO Box 1049, Kilauea, HI 96754

www.awarenessandbodywork.com

#### Twenty eighth Legislature, Regular Session of 2016

To: The House Committee on Consumer Protection Representative Angus L.K. McKelvey, Chair Representative Takashi Justin H. Woodston, Vice Chair

Testimony RE: House Bill 2454
Relating to the Licensing of Private Trade, Vocational and Technical Schools

Thursday, February 11, 2016, 5:00 PM
Testifying: Leo Williams, Hawaii Institute of Hair Design

**Honorable Chairperson and Members of these Committees:** 

I am Leo Williams, the Director of Education at Hawaii Institute of Hair Design, a Private Postsecondary School Currently Licensed by the Department of Education, State of Hawaii

I oppose HB2454.

Potential Students and Career Counselors respect the Department of Education licenses and recognize them far more than that of the Department of Commerce and Consumer Affairs. Non-accredited schools need DOE licensure to demonstrate their credibility and to receive funding from the alternate funding sources that require the Department of Education License.

As for Accredited schools, delays and disruptions caused by the transference of licensure to the DCCA could jeopardize funding for our students, lower school standards and pride, and cause our students to suffer. The federal government looks at small technicalities in documentation which stops federal funding. The delays and changes in licensure may cause delays of funding or loss of grants and loans for our students. Accredited schools have passed Recertification with the USDOE as Postsecondary Schools approved by the State Department of Education. Change is not necessary.

The systems for the Licensure of Private Trade, Vocational and Technical Schools have already been set up by the Department of Education. The job is done efficiently by the DOE. . State DOE certification is recognized on a national level. National Accreditors prefer to review schools that have first achieved State Department of Education Licensure. Don't put a wrench in a well-oiled working machine.

Education is becoming more recognized as helping the economy. The Department of Education helps these private postsecondary schools grow which helps the people of Hawaii make a good living. This transference of agencies would hold back the growth of new schools that are not yet established or large enough to apply for the VA and other local sources of financial aid that require licensure.

The standards schools are required to meet to remain licensed by the DOE keep schools honest, viable and proud of their achievement. That is why very few student complaints must be reviewed. Regulation by DCCA does not instill the same pride.

Please kill bill HB 2454. Thank you for the opportunity to be heard.

Leo Williams, Hawaii Institute of Hair Design.

Twenty eighth Legislature, Regular Session of 2016

House of Representatives

Twenty eighth Legislature, Regular Session of 2016

To: Committee on Consumer Protection

Representative Angus L. McKelvey, Chair Representative Takashi Ohno, Vice Chair

Testimony RE: HB 2454

Relating to the Licensing of Private Trade, Vocational and Technical Schools

Friday, February 11, 2016 5:00 PM

Testifying: Margaret Williams, President, Hawaii Institute of Hair Design, a Licensed School

Honorable Chairperson and Members of these Committees:

I am Margaret Williams, The Administrator of Hawaii Institute of Hair Design, a Private Postsecondary School Currently Licensed by the Department of Education, State of Hawaii. The Hawaii Institute of Hair Design is accredited by the Accrediting Commission of Career Schools and Colleges. Our Students use Title IV Aid if they qualify. I oppose the transference of Private Trade, Vocational and Technical School licensure from the Department of Education to the DCCA and have communicated with several licensed schools that also oppose the transference.

FEDERAL GRANTS AND LOANS. PLEASE do not risk our student's ability to receive the Pell Grant or Student Loans. This transference will Jeopardize the receipt of federal financial aid at the Accredited Postsecondary Schools because the DCCA Boards, well known for working slowly, must immediately set up some rigid guidelines for schools, following the Federal requirements. The methods in which change is introduced to the Board Rules and laws is a very slow process. During the long delay to accomplish the process, Accredited schools could lose Financial Aid for their students. The USDOE has a Program Integrity rule that requires the Accredited Schools to be licensed or authorized by the State to teach Postsecondary education in order to be certified to receive financial aid. The state licensure program must have a method for solving student complaints and have a strict monitoring program. Schools licensed under the Hawaii Department of Education smoothly received USDE Recertification for financial aid with DOE approval. The Board of Cosmetology has not yet been approved by USDE but luckily received extensions to the rule because they have been working on getting the schools they license authorized to teach postsecondary education. Extensions have been granted for two and a half years (since the deadline of July, 2014) and the USDOE should be discontinuing extensions soon. The DCCA works very slowly. Everything has to be created and approved by the Boards which meet only once a month (if that often), then be set up and put in a public hearing to change Board Rules. New rules and methods created by the boards are sent to United States

Department of Education for approval or a request from USDE for more changes, starting the cycle again!.

Private Postsecondary Schools and their students stand to lose a lot if the transfer and these delays occur. The Department of Education has efficiently reviewed and licensed private postsecondary schools for 76 years. The DOE has done the job well for decades and is very experienced in this area. We schools are asking the Legislature to recommend that the concentration of a few of the DOE staff hours to keep our schools licensed under the DOE .The DOE staff know how, and to do the job well.

The DOE is accepted as licensing postsecondary schools for USDE financial aid approval. Please do not approve this bill. Please protect the 70 students in our school, and all of the students in all of the accredited schools licensed under the Department of Education.

It has been the charge of the DOE to keep Postsecondary Career Schools up to very clear standards, some of them the highest standards in the nation, helping the schools in Hawaii grow. Without the continuous reviews of DOE staff, the school I manage would never have become Nationally Accredited or grown to the establishment it is today.

TEACHER CERTIFICATION DCCA not does not review the history of instructor employment and certify our teachers to teach in postsecondary schools. DCCA does not require Tb test of all school staff and for the students to have MMR clearances. Years ago, DOE reviewed our catalog and contract with students and had me continuously work on them until our policies met State standards, preparing us for National accreditation review. Completing the Projected annual budget for the DOE helped me learn to properly budget finances and keep the school viable. Every two years schools must update and report our curriculum and assure we have adequate instructors. Will the DCCA make time to help schools in these ways and all of the other ways the DOE helps? Turning over the paperwork is one thing, gaining the expertise to teach the Schools what they must know and do, is another. These are Educational institutions. Education belongs under the jurisdiction of the DOE. Please have the DOE keep the job that they do so well.

#### **COST**

, ,

DCCA would have to spend money on staff, storage and the construction of a new programs for the Boards that could not possibly work as well as the DOE program.

Hawaii Taxpayers, thru the state, sponsor education at Community colleges and the University of Hawaii. Our private schools train students because there are not enough programs at the State schools to cover the diverse education that is offered at the postsecondary trade schools. We are not asking for help with maintenance of our buildings or teachers' pay or retirement or any of that. We are asking for a little time from a couple of DOE staff to keep our schools up to

State Standards and to give our schools the credibility and the pride that comes with certification and licensure by the State Doe. We enroll students, train them well and pay taxes on our income and teachers' salaries. We contribute to the economy and train students to serve the public safely and well. All of the taxes that licensed schools and their graduates pay go into the state coffers that sponsor the DOE. Can we get a little help back? Please defeat this bill.

Thank you for hearing and considering this testimony and I am available for questions.

Margaret Williams

Hawaii Institute of Hair Design, 1128 Nuuanu Avenue #102, Hono, Hawaii 96817 Phone 808 533-6596

From: mailinglist@capitol.hawaii.gov

Sent: Wednesday, February 10, 2016 4:20 AM

To: CPCtestimony Cc: tolleydr@gmail.com

Subject: Submitted testimony for HB2454 on Feb 11, 2016 17:00PM

#### **HB2454**

Submitted on: 2/10/2016

Testimony for CPC on Feb 11, 2016 17:00PM in Conference Room 325

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing	
donna tolley	Individual	Comments Only	No	

Comments: I oppose

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From: mailinglist@capitol.hawaii.gov

Sent: Wednesday, February 10, 2016 7:14 AM

To: CPCtestimony

Cc: xavieroly@gmail.com

Subject: \*Submitted testimony for HB2454 on Feb 11, 2016 17:00PM\*

# **HB2454**

Submitted on: 2/10/2016

Testimony for CPC on Feb 11, 2016 17:00PM in Conference Room 325

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing	
joshua	Individual	Oppose	No	

#### Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From: mailinglist@capitol.hawaii.gov

Sent: Wednesday, February 10, 2016 7:39 AM

To: CPCtestimony
Cc: eadh2o@pacbell.net

Subject: \*Submitted testimony for HB2454 on Feb 11, 2016 17:00PM\*

# HB2454

Submitted on: 2/10/2016

Testimony for CPC on Feb 11, 2016 17:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Eve Dion	Individual	Oppose	No

#### Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From: mailinglist@capitol.hawaii.gov

Sent: Wednesday, February 10, 2016 7:51 AM

To: CPCtestimony

Cc: robinkutkowski@gmail.com

Subject: \*Submitted testimony for HB2454 on Feb 11, 2016 17:00PM\*

# HB2454

Submitted on: 2/10/2016

Testimony for CPC on Feb 11, 2016 17:00PM in Conference Room 325

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing	
Robin Kutkowski	Individual	Oppose	No	

#### Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From: mailinglist@capitol.hawaii.gov

Sent: Wednesday, February 10, 2016 9:58 AM

To: CPCtestimony

Cc: sudiebond@gmail.com

Subject: \*Submitted testimony for HB2454 on Feb 11, 2016 17:00PM\*

#### HB2454

Submitted on: 2/10/2016

Testimony for CPC on Feb 11, 2016 17:00PM in Conference Room 325

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing	
sudie noland	Individual	Oppose	No	

#### Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From: mailinglist@capitol.hawaii.gov

Sent: Wednesday, February 10, 2016 10:13 AM

To: CPCtestimony

Cc: lisabarto@gmail.com

Subject: \*Submitted testimony for HB2454 on Feb 11, 2016 17:00PM\*

# **HB2454**

Submitted on: 2/10/2016

Testimony for CPC on Feb 11, 2016 17:00PM in Conference Room 325

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing
lisa bartosiewicz	Individual	Oppose	No

#### Comments:

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From: mailinglist@capitol.hawaii.gov

Sent: Wednesday, February 10, 2016 11:51 AM

To: CPCtestimony

Cc: shannarnia67@gmail.com

Subject: \*Submitted testimony for HB2454 on Feb 11, 2016 17:00PM\*

# **HB2454**

Submitted on: 2/10/2016

Testimony for CPC on Feb 11, 2016 17:00PM in Conference Room 325

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing	
shanna arney	Individual	Oppose	No	

#### Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From: mailinglist@capitol.hawaii.gov

Sent: Wednesday, February 10, 2016 3:09 PM

To: CPCtestimony

Cc: danydamage@gmail.com

Subject: \*Submitted testimony for HB2454 on Feb 11, 2016 17:00PM\*

# **HB2454**

Submitted on: 2/10/2016

Testimony for CPC on Feb 11, 2016 17:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Alexanyan	Individual	Oppose	No

#### Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.





To: COMMITTEE ON CONSUMER PROTECTION & COMMERCE

THE TWENTY-EIGHTH LEGISLATURE REGULAR SESSION OF 2016

Rep. Angus L.K. McKelvey, Chair Rep. Justin H. Woodson, Vice Chair

Testimony RE: House Bill 2454

Relating to the Licensing of Private Trade, Vocational and Technical Schools

Honorable Chairperson and Members of these Committees:

My name is Frank Green, President of the Travel Institute of the Pacific and the Gros Bonnet Culinary Academy. Founded in 1973, we are a Private Postsecondary School licensed by the Department of Education, State of Hawaii, Nationally accredited by the Accrediting Commission of Career Schools and Colleges, approved for the acceptance of Veteran Benefits and certified by the Federal Department of Education to administer Title IV Federal Financial Aid programs.

I am opposed to the transference of Private Trade, Vocational and Technical School licensure from the Department of Education to the DCCA .

My students who graduate as Travel Agents, Ticket Agents, Reservationist, Hotel Front Desk and Chefs are not subject to any type of Board Licensing. It makes no sense to have the liscensing of our school fall under the jurisdiction of the Regulatory Boards at DCCA. We are a school, and as such oversight should remain with the Department of Education.

The Department of Education has efficiently reviewed and licensed private postsecondary schools for as far back as I can remember. They DOE has handled this task efficiently and has worked with the legislature and schools over the years to establish an effective set of guidelines and procedures that work! The current licensing requirements have kept the bureaucracy at a minimum while insuring protection for the students. The expertise to administer the licensing of vocational schools is clearly with the Department of Education.

I am asking the Legislature to leave this process where it belongs, with the Department of Education. DCCA does not currently have the expertise in vocational education; review of program curriculum, assuring a safe and adequate learning environment, verifying Instructor qualifications, bonding, verifying the accuracy of school catalogs and enrollment agreements. Moving this to the DCCA would in effect be creating a new level of bureaucracy while incurring additional and unnecessary costs. I urge you to leave the process where it belongs – with the Department of Education.

Sincerely,

Frank Green President Travel Institute of the Pacific Gros Bonnet Culinary Academy

From: mailinglist@capitol.hawaii.gov

Sent: Thursday, February 11, 2016 9:28 AM

To: CPCtestimony

Cc: carol@hartfeltkauai.com

Subject: Submitted testimony for HB2454 on Feb 11, 2016 17:00PM



#### **HB2454**

Submitted on: 2/11/2016

Testimony for CPC on Feb 11, 2016 17:00PM in Conference Room 325

Submitted By	Organization	<b>Testifier Position</b>	Present at Hearing
Carol Hart	Aloha Lomi Massage Academy	Oppose	No

Comments: I am very much opposed to the transfer of DOE massage programs into the DCCA. When we began our workshop program 5 years ago, our apprentices received their permits in one week. With each successive class, the time for processing the permits has increased dramatically. The DCCA Board of Massage website states that permits require 15-20 business days for processing. Our last class was forced to wait over 40 business days for their permits, making it impossible for them to finish for the testing they were counting on, and seriously affecting the business of running our school. We need to plan our classes according to when the prior class is finished. What is going to happen to this process when you add all of the DOE students to an already overburdened system? Mahalo for your consideration.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.