

JAN 17 2020

A BILL FOR AN ACT

RELATING TO THE HAWAI'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 (NASDSE)
3 recommends that decisions affecting Deaf, Hard of Hearing, and
4 Deaf-Blind students be made by individuals knowledgeable about
5 these students' educational needs. In Hawai'i, there has been a
6 public school on O'ahu operated by the department of education
7 (DOE) for the education of Deaf, Hard of Hearing, and Deaf-Blind
8 students since 1914. The school is currently known as the
9 Hawai'i School for the Deaf and Blind (HSDB).

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 DOE who are experienced and
13 knowledgeable in Deaf education and fluent in American Sign
14 Language (ASL). This lack of expertise by the DOE
15 administration has raised concerns about whether the school is
16 being adequately managed. For example, principals and vice-
17 principals have been appointed who have no expertise in Deaf



1 Education, no expertise in ASL-English Bilingual Education, and
2 no expertise in ASL. There has also been an atmosphere of
3 audism, audism being a form of discrimination aimed at persons
4 who are Deaf and the actions that Deaf persons engage in to
5 communicate. At the HSDB, audism is evidenced by hearing people
6 with no expertise in the education of Deaf, Hard of Hearing, and
7 Deaf-Blind students believing that they are best qualified to
8 make educational decisions for these students. It has also
9 often meant the exclusion of Deaf stakeholders in the decision-
10 making process.

11 The legislature concludes that for the HSDB 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 (CSDB), California
15 School for the Deaf (Riverside and Fremont), and Maryland School
16 for the Deaf. Colorado established a Board of Trustees for the
17 CSDB within the Colorado DOE structure and that school is one of
18 the most successful schools in the nation for the education of
19 Deaf individuals.

20 An independent, expertise-driven Board of Trustees for the
21 HSDB will be able to expedite DOE appropriations needed by the



1 school and ensure that timely decisions are made. For example,
2 state appropriations specific to the HSDB are not received for
3 several months until after the fiscal year begins in July, often
4 not until October, causing financial hardship as the school
5 attempts to meet the needs of its students. There are
6 facilities' issues such as the showers in the male dormitory
7 needing to be repaired, forcing male students to walk across
8 campus in order to take a shower. The hiring of teachers takes
9 months and has resulted in prospective teachers finding
10 employment elsewhere.

11 An independent, expertise-driven Board of Trustees will
12 also be able to foster an accurate understanding of student
13 achievement. Currently, HSDB students are required to take
14 state tests which are not normed for Deaf, Hard of Hearing, and
15 Deaf-Blind students, resulting in a false image of the school as
16 underachieving. In 2019, for the first time in over 100 years,
17 the HSDB received national accreditation from the Accrediting
18 Commission for Schools (ACS), Western Association of Schools &
19 Colleges (WASC). WASC report stated that the HSDB "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



1 the 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 An independent, expertise-driven Board of Trustees will
5 also enable the HSDB to engage in early intervention services.
6 The HSDB currently is unable to provide educational services to
7 children from birth to three years of age or to their parents.
8 These formative years of language acquisition are critical to
9 the future academic and linguistic success of HSDB students.
10 The need to provide early intervention has been identified by
11 the state but these services are designated to the Department of
12 Health (DOH). The HSDB, working collaboratively with the DOH,
13 can be another option for parents and children.

14 The purpose of this Act is to ensure that the needs of the
15 Deaf, Hard of Hearing, and Deaf-Blind students of Hawai'i are met
16 by establishing an independent governance structure for the
17 Hawai'i School for the Deaf and Blind.

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

21 "PART . HAWAI'I SCHOOL FOR THE DEAF AND BLIND



1 §302A- Hawai'i School for the Deaf and Blind. There is
2 established a school for the education of Deaf, Hard of Hearing,
3 and Deaf-Blind students, to be known as the Hawai'i School for
4 the Deaf and Blind. The Hawai'i School for the Deaf and Blind
5 shall be governed by the board of trustees established pursuant
6 to section 302A- . No student shall be required to enroll at
7 or attend the Hawai'i School for the Deaf and Blind.

8 §302A- Board of Trustees of the Hawai'i School for the
9 Deaf and Blind. (a) There is established a board of trustees
10 of the Hawai'i School for the Deaf and Blind, to be composed of
11 nine members to be appointed by the governor for staggered terms
12 pursuant to section 26-34. The members of the board shall be
13 residents of Hawaii and shall include the following:

14 (1). At least two members shall be Deaf individuals who are
15 fluent in American Sign Language and knowledgeable
16 about Deaf Education;

17 (2) At least one member shall be a Deaf-Blind person or
18 parent of a Deaf-Blind person;

19 (3) At least one member shall be an alumnus of the Hawai'i
20 School for the Deaf and Blind;



1 (4) At least one member shall be a parent of a child who
2 is Deaf; and

3 (5) At least one member shall be a Deaf individual who is
4 resident of a neighbor island.

5 The Superintendent shall serve as an ex-officio member.

6 (b) The members of the board shall elect the chairperson
7 of the board. The terms of office shall be three years; except
8 that, of the members initially appointed, three members shall
9 serve a one-year term, two members shall serve a two-year term,
10 and three members shall serve a three-year term. The governor
11 may remove or suspend for cause any member of the board. Board
12 members shall serve not more than three consecutive three-year
13 terms, with each term beginning on July 1.

14 (c) The members of the board of trustees shall serve
15 without pay but shall be entitled to reimbursement for necessary
16 expenses while attending meetings and while in the discharge of
17 duties and responsibilities.

18 (d) The board of trustees shall be responsible for the
19 management and policy decisions for the Hawai'i School for the
20 Deaf and Blind. The board shall report to the superintendent of
21 education. The complex area superintendent for the complex area




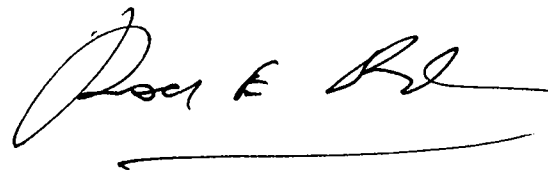
1 that includes the Hawai'i School for the Deaf and Blind shall
2 supervise the delivery of administrative and instructional
3 support services to the school pursuant to the direction of the
4 Board."

5 SECTION 3. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2020.

7

INTRODUCED BY: 





S.B. NO. 2246

Report Title:

DOE; Hawai'i School for the Deaf and Blind; Board of Trustees;
Deaf and Blind Task Force

Description:

Creates a Board of Trustees for the Hawai'i School for the Deaf and Blind to establish an independent governance structure for the school.

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