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Testimony of the Department of Commerce and Consumer Affairs

**Before the
House of Representatives Committee on Consumer Protection & Commerce
Thursday, February 26, 2026
2:00 p.m.
Conference Room 329 & Videoconference State Capitol**

**On the following measure:
H.B. 2301 H.D.1 RELATING TO SCHOOL LICENSURE**

Chair Matayoshi and Members of the Committee:

My name is Nadine Ando, and I am the Director of the Department of Commerce and Consumer Affairs (Department or DCCA). The Department respectfully opposes this administrative bill.

The purpose of this bill is to transfer the licensing authority of private trade, vocational, and technical schools from the Department of Education to the Department of Commerce and Consumer Affairs.

This transfer would misalign with the Department's mission, expertise, and existing regulatory structure. The Department's core functions center on individual professional and occupational licensure, enforcement of unfair and deceptive acts or practices, and general marketplace oversight, not the evaluation of curricula, instructional quality, or educational outcomes of educational entities. These components fall outside the Department's scope and would require new capacity, systems, and funding that do not currently exist.

In 2015, a state working group concluded that consumer protection concerns in this area were minimal and that transferring the program to DCCA would require substantially higher fees to sustain operations¹. With only 16 schools currently licensed, the cost-recovery model would impose a significant financial burden on smaller providers, conflicting with the State's workforce development objectives.

Additionally, transferring this authority without meaningful infrastructure or resources would create regulatory gaps, delays, and inconsistent oversight, ultimately weakening the intended program's goals. The DCCA believes greater protection is achieved through licensing the individual professionals who complete training programs, rather than imposing a duplicative regulatory layer on the schools themselves.

For these reasons, Department respectfully urges that this bill be held in committee.

Thank you for the opportunity to testify on this bill.

¹ 2015 Haw. S. Concurrent Res. No. 46, From the Department of Commerce and Consumer Affairs, dated December 30, 2015, transmitting the Professional Trade, Vocational, and Technical School Working Group Report, pursuant to SCR 46, SD 2 (2015), Report to the Legislature (2016) <https://cca.hawaii.gov/wp-content/uploads/2026/02/SCR46-Report.pdf>



STATE OF HAWAII
DEPARTMENT OF EDUCATION
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P.O. BOX 2360
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Date: 02/26/2026

Time: 02:00 PM

Location: 329 VIA VIDEOCONFERENCE

Committee: CPC

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB2301, HD1, RELATING TO SCHOOL LICENSURE.

Purpose of Bill: Transfers the licensing authority of private trade, vocational, and technical schools from the Department of Education to the Department of Commerce and Consumer Affairs. Effective 7/1/3000. (HD1)

Department's Position:

The Hawai'i State Department of Education (Department) supports HB 2301, HD1, which transfers out the licensing authority of private trade, vocational, and technical schools from the Department of Education to the Department of Commerce and Consumer Affairs (DCCA).

The Department has been in charge of licensing privately owned non-degree vocational schools in the State of Hawai'i since 1939. At that time, it was decided that the Department would be the appropriate agency to oversee private vocational schools as a means of consumer protection and to ensure schools were qualified to train prospective students in a vocational field. Currently, this responsibility is under the name Private Trade, Vocational or Technical Schools (PTVT) and licenses 16 schools ranging from massage therapy to barber styling schools. The Department only licenses schools offering programs below the associate's degree level.

The Department's vision and mission is focused on the K-12 public education system. PTVT schools are private businesses serving post-secondary adult students which requires regulating these commercial entities for consumer protection rather than pedagogical oversight.

In a 2002 State Auditor's Report, it was concluded that the Department "cannot ensure that schools are properly licensed and that consumers are afforded adequate protection." The Legislature validated these concerns in 2017 with the passage of Act 164, formally finding that the Department "does not currently have the capacity or expertise in the specialized curricula" required to effectively regulate these diverse private businesses.

Other states have established licensing programs for non-degree private vocational

education in separate boards or agencies outside of their state's respective departments of education. Many have agencies that combine both the licensing of non-degree schools and the authorization of degree granting schools where the emphasis is on consumer protection. The Department believes that the responsibility of licensing authority of private trade, vocational, and technical schools should not belong in an educational institution and would defer to the legislature as to the appropriate agency.

The Department respectfully requests that the Committee pass HB 2301, HD1. The Department is committed to undertaking all necessary measures to ensure a seamless transfer.

Thank you for the opportunity to testify on this measure.

HB-2301-HD-1

Submitted on: 2/25/2026 12:29:31 PM

Testimony for CPC on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, Support

TO INCLUDE INSTRUCTORS/PROGRAMS FROM HONOLULU COMMUNITY COLLEGE

2301 HB RELATING TO SCHOOL LICENSURE.