



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
KA 'OIHANA HO'ONA'AUAO  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 02/10/2026

**Time:** 02:15 PM

**Location:** 309 VIA VIDEOCONFERENCE

**Committee:** EDN

**Department:** Education

**Person Testifying:** Keith T. Hayashi, Superintendent of Education

**Title of Bill:** HB2301, 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 University of Hawaii.

**Department's Position:**

The Hawai'i State Department of Education (Department) strongly supports the intent of HB 2301, which transfers out the licensing authority of private trade, vocational, and technical schools from the Department.

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 with the appropriate agency to oversee this program that is most suited for licensing and consumer protection. The Department is committed to undertaking all necessary measures to ensure a seamless transfer.

Thank you for the opportunity to testify on this measure.



# UNIVERSITY OF HAWAII SYSTEM

## ‘ŌNAEHANA KULANUI O HAWAII

### Legislative Testimony

### Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the  
House Committee on Education  
February 10, 2026 at 2:15 p.m.

By

Debora Halbert

Vice President for Academic Strategy

University of Hawai'i System

and

Lui Hokoana

Interim Vice President for Community Colleges

University of Hawai'i System

HB 2301 – RELATING TO SCHOOL LICENSURE.

Chair Woodson, Vice Chair La Chica, and Members of the Committee:

The University of Hawai'i offers comments with concerns on HB 2301 – Relating to School Licensure.

The University of Hawai'i (UH) stands as the State's premier provider of higher education and workforce training. While we share the Legislature's commitment to consumer protection and workforce quality and appreciate the need for licensure and oversight of private trade, vocational, and technical schools, UH is not the appropriate department to house this function.

If this bill were to pass in its current form, it would transform the University of Hawai'i into a licensing authority and force the UH to take on a quasi-judicial role. Managing business registrations, auditing tax clearances, and administering \$50,000 surety bonds [Section 2(b)] are administrative functions of a state regulatory agency, not a university.

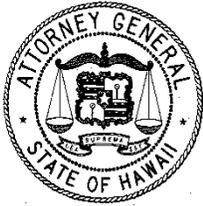
Our concern for this function moving to UH is twofold. First, we agree with the Department of Education (DOE) that licensing is a regulatory function, not an educational one. Licensing post-high school training providers falls outside the UH's core mission of teaching, research, and service. If UH were to assume responsibility for licensing vocational and technical schools alongside its systemwide university oversight, it would require a significant expansion of personnel, financial infrastructure, and regulatory systems to manage a fundamentally different type of institution.

Second, UH taking on this role creates an inherent conflict of interest. The bill cites the UH Community Colleges Strategic Plan and our commitment to being the State's "premier training provider." However, this creates a direct conflict of interest. It is inappropriate for the UH to serve as the regulatory and licensing body for private entities that offer programs competing with our own. UH should not be the arbiter of the fate of

its competitors creating a situation where the UH could be perceived as using its regulatory power to limit the growth of private competitors in favor of its responsibilities to UH programs.

For these reasons, these functions should not be transferred to UH.

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



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-THIRD LEGISLATURE, 2026**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 2301, RELATING TO SCHOOL LICENSURE.

**BEFORE THE:**

HOUSE COMMITTEE ON EDUCATION

**DATE:** Tuesday, February 10, 2026      **TIME:** 2:15 p.m.

**LOCATION:** State Capitol, Room 309

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Candace J. Park, Deputy Attorney General

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Chair Woodson and Members of the Committee:

The Department of the Attorney General provides the following comments.

This bill transfers the licensing responsibilities of private trade, vocational, and technical schools from the Department of Education to the University of Hawai'i.

This bill implicates article X, section 6, of the Hawai'i Constitution, which gives the Board of Regents of the University of Hawai'i "exclusive jurisdiction over the internal structure, management, and operation of the university." Section 6 further provides: "This section shall not limit the power of the legislature to enact laws of statewide concern. The legislature shall have the exclusive jurisdiction to identify laws of statewide concern." We recommend an amendment that adds a statement identifying this bill as a law of statewide concern.

Thank you for the opportunity to provide these comments.