



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
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March 17, 2021

To: The Honorable Sean Quinlan, Chair,
The Honorable Daniel Holt, Vice Chair, and
Members of the House Committee on Economic Development

Date: Wednesday, March 17, 2021
Time: 10:30 a.m.
Place: Conference Room 312, State Capitol

From: Anne E. Perreira-Eustaquio, Director
Department of Labor and Industrial Relations (DLIR)

Re: S.B. No. 509 SD2 RELATING TO EDUCATION

I. OVERVIEW OF PROPOSED LEGISLATION

This proposal establishes criteria for industry certification awards to public high schools and appropriates funds to the Department of Education (DOE) to incentivize public high schools to encourage students to obtain industry-recognized certifications.

The Department supports the intent of the measure, requests an amendment, and otherwise defers to DOE's recommendation on the proposal.

II. CURRENT LAW

The current law does not require DLIR to share data with the DOE. Act 41, (SLH, 2010), required the department to share data with other agencies to help meet the longitudinal data requirement of the Federal Recovery and Reinvestment Act of 2009. The U.S. Department of Labor (U.S.DOL) has long interpreted methods of administration to require the confidentiality of UI information and to follow the Congressional mandate that UI information be used only for the purpose for which it is directed. According to HRS §383-95 and HAR §12-5-211 to §12-5-220, disclosure of information from workers, employers, or other persons or groups in the course of administering the state employment security program shall be held confidential and shall not be disclosed unless authorized requesting agencies have entered into a

written agreement with the Department.

U.S.DOL guidance in Unemployment Insurance Program Letter NO. 34-97 sets forth the criteria regarding the basic confidentiality and disclosure requirements for the Federal-State unemployment compensation (UC) program for sharing information with other public officials. Records may be disclosed where the public official is enforcing a law and:

1. The disclosure is permitted by State law (§383-95),
2. The disclosure would not significantly hinder or delay the processing of UI claims, or significantly hinder other activities of the State employment security agency, or such disclosure would not impede the efficient administration of the State employment security law,
3. The public officials continue to safeguard the confidentiality of the records, and
4. If disclosure entails more than incidental time, arrangements are made for the reimbursement of costs.

III. COMMENTS ON THE SENATE BILL

The DLIR requests an amendment to delete the department from the measure. The DLIR has a Memorandum of Agreement with P-20 Partnerships for Education to provide the information necessary for Hawaii P-20, the DOE, and the University of Hawaii to develop high value employment criteria for making industry certification awards to public high schools. In addition, the department is always willing and able to assist these partners to address the critical shortage of qualified local workers in various sectors.

The Senate Committee on Education's intent to replace DLIR with P-20 is reflected in EDU's committee report and the change was made on page 3, lines 18 and 19 in §302A- (b) of SB509 SD1 of the bill but not in § 302A- (c) on page 4, lines 4-7 of SB509 SD1 [and at WAM on page 4, lines 1-4 of SB509 SD2]. The department requests inserting P-20 Partnerships for Education instead of DLIR on page 4, [lines 1-4 of SB509 SD2.]



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/17/2021

Time: 10:30 AM

Location: 312 Via Videoconference

Committee: House Economic
Development

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: SB 0509, SD2 RELATING TO EDUCATION.

Purpose of Bill: Establishes criteria for industry certification awards to public high schools to incentivize public high schools to encourage students to obtain industry-recognized certifications. Requires the department to submit an annual report containing specified information about the progress of the incentivization. (SD2)

Department's Position:

The Hawaii State Department of Education (Department) supports the intent of SB 509, SD 2 and respectfully offers comments.

Due to the difficulty in collecting data regarding students who are "seeking industry certifications," the Department respectfully suggests language in the bill be replaced with the following:

- Section 2(f)(1) on page 5, lines 11-13 replaced with: "(1) The number of public high school students that attempted industry certifications for high value employment;"
- Section 2(f)(3) on page 5, lines 17-20 replaced with: "(3) The number of public high school students who are attempting or earning industry certifications and are economically disadvantaged, English language learners, or receiving special education services."

This measure incentivizes public high schools to encourage students to obtain industry certification in high value occupations. The Department agrees financial support for students to acquire industry certifications has been the challenge in allowing more access to high value industry certifications. Industry certifications require students to successfully pass written tests, prepare for the test with specific curriculum, and, in some cases, go through specific skills training or documented service hours with certified instructors. There are costs associated with each component and industry certifications span multiple industry sectors. Covering these costs

remains one of the largest challenges to increasing the number of students obtaining industry certifications in high value occupations.

An annual appropriation that does not replace or adversely impact the priorities in the Department's budget will be required to implement such a program which includes resources to assist in modifying existing data collection systems to process the information being requested in the measure. Further, to meet the reporting requirements requested in this measure, the Department will need additional time to explore existing data collection options and modify them to generate the requested reports.

As such, the Department believes that the financial appropriations which existed in SB 509, SD 1 helped to address the financial hurdle of providing support to students to acquire industry certifications and would prefer the language in SD 1 with an additional appropriation to meet the data collection requirements.

Thank you for the opportunity to provide testimony on SB 509, SD2.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.

SB-509-SD-2

Submitted on: 3/15/2021 2:53:13 PM

Testimony for ECD on 3/17/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members,

Please support SB509.

Thank you,

Andrea Quinn