

# HB1814 HD1

Measure Title: RELATING TO EDUCATION.

Report Title: Department of Education; Pupil Punishment; Physical Restraints; Appropriation (\$)

Description: Appropriates funds to provide training and track data on public school pupil punishment and use of restraints restrictions established by Act 206, Session Laws of Hawaii 2014. Requires report. Appropriates funds. (HB1814 HD1)

Companion: [SB2611](#)

Package: None

Current Referral: EDU, WAM

Introducer(s): TAKUMI, OHNO



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

**Date:** 03/14/2016  
**Time:** 01:25 PM  
**Location:** 229  
**Committee:** Senate Education

**Department:** Education

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

**Title of Bill:** HB 1814, HD1 RELATING TO EDUCATION.

**Purpose of Bill:** Appropriates funds to provide training and track data on public school pupil punishment and use of restraints restrictions established by Act 206, Session Laws of Hawaii 2014. Requires report. Appropriates funds. (HB1814 HD1)

**Department's Position:**

The Department of Education (Department) supports HB1814 HD1 and is appreciative of the Legislature's consideration of an appropriation to support the Department's implementation of Act 206, Session Laws of Hawaii 2014.

If appropriated, the \$460,000 would be applied in fiscal year 2016-17 for:

**\$300,000 for staff training, certification and recertification :**

Support for statewide training of complex/school personnel and training materials. The Department will establish a cadre of trainers in each complex area. The proposed funding would allow for the trainer certification of approximately 31 educators and training of 300 participants. The four day training sessions would be held across the state during the school year.

**\$75,000 for database development and maintenance :**

Database infrastructure enhancements, reports, and periodic maintenance.

**\$85,000 for personnel**

Salary and an 1.0 FTE to assist with the implementation of Act 206.

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



**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
919 ALA MOANA BOULEVARD, ROOM 113  
HONOLULU, HAWAII 96814  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
March 14, 2016

The Honorable Michelle N. Kidani, Chair  
Senate Committee on Education  
Twenty-Eighth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Senator Kidani and Members of the Committee:

**SUBJECT: HB 1814 HD1 - Relating to Education**

The State Council on Developmental Disabilities **SUPPORTS HB 1814 HD1**. The bill appropriates funds to provide training and track data on public school pupil punishment and use of restraints restrictions established by Act 206, Session Laws of Hawaii 2014.

The implementation of Act 206 – Relating to Restraints and Seclusion in Hawaii Public Schools requires school personnel to be properly trained in the use of physical restraints, non-violent crisis intervention, and how to develop and maintain a data base in order to document all incidents involving the use of restraints. HB 1814 HD1 will fund one full-time equivalent position (1.0 FTE) to provide training and data accountability to assist with the effective implementation of Sections 302A-1141, 302A-1141.3, and 302A-1141.4, Hawaii Revised Statutes, as outlined in SECTIONS 1 and 2 of the bill.

Act 206, Session Laws of Hawaii 2014, requires an appropriation in order to be implemented. Our understanding is that the Department of Education (DOE) does not have the funds in its budget to carry out the requirements of Act 206. The passage of HB 1814 HD1 would provide the means necessary for DOE to properly train school personnel and provide data accountability.

Thank you for the opportunity to submit testimony **supporting HB 1814 HD1**.

Sincerely,

Waynette K.Y. Cabral, MSW  
Executive Administrator

Josephine C. Woll  
Chair



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819  
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Corey Rosenlee  
President  
Justin Hughey  
Vice President  
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## TESTIMONY BEFORE THE SENATE COMMITTEE ON EDUCATION

RE: HB 1814, HD1 – RELATING TO EDUCATION

MONDAY, MARCH 14, 2016

COREY ROSENLEE, PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

Chair Kidani and Members of the Committee:

The Hawaii State Teachers Association **supports HB 1814, HD1**, relating to education.

The implementation of Act 206- Relating to Restraints and Seclusion in Hawaii Public Schools requires school personnel to be properly trained in the use of physical restraints, nonviolent crisis intervention, and how to develop and maintain a data base in order to document all incidents involving the use of restraints. HB 1814, HD1, will provide the DOE with much needed funds for one full-time equivalent position (1.0 FTE) to provide training and data accountability to assist with effective implementation of Sections 302A-1141, 302A-1141.3, and 302A-1141.4, Hawaii Revised Statutes, as outlined in Sections 1 and 2 of the bill. Act 206, Session Laws of Hawaii 2014, requires an appropriation in order to be implemented. Teachers and school personnel must be properly trained in these methods to ensure that students are provided the best care, with qualified personnel, with properly implemented methods, who have received the specific training needed to do so. We support this bill that will provide the funds necessary to support the DOE in the training and tracking of data on public school pupil punishment and use of restraints restrictions established by Act 206, Session Laws of Hawaii 2014.

Thus, the Hawaii State Teachers Association asks your committee to **support this bill**.



**S E A C**  
**Special Education Advisory Council**

919 Ala Moana Blvd., Room 101

Honolulu, HI 96814

Phone: 586-8126 Fax: 586-8129

email: [spin@doh.hawaii.gov](mailto:spin@doh.hawaii.gov)

March 14, 2016

**Special Education  
Advisory Council**

Ms. Martha Guinan, *Chair*

Ms. Brendelyn Ancheta

Dr. Tammy Bopp

Dr. Robert Campbell, *liaison  
to the military*

Ms. Deborah Cheeseman

Ms. Annette Cooper

Ms. Shari Dela Cuadra-Larsen,  
*liaison to the Superintendent*

Ms. Gabriele Finn

Mr. Sage Goto

Ms. Valerie Johnson

Ms. Deborah Kobayakawa

Ms. Bernadette Lane

Ms. Dale Matsuura

Ms. Stacey Oshio

Ms. Zaidarene Place

Ms. Barbara Pretty

Ms. Kau'i Rezentos

Ms. Rosie Rowe

Dr. Patricia Sheehey

Ms. Ivalee Sinclair

Mr. Tom Smith

Ms. Lani Solomona

Dr. Todd Takahashi

Dr. Daniel Ulrich

Dr. Amy Wiech

Ms. Jasmine Williams

Ms. Susan Wood

Amanda Kaahanui, Staff  
Susan Rocco, Staff

Senator Michelle N. Kidani, Chair  
Committee on Education

State Capitol

Honolulu, HI 96813

RE: HB 1814, HD 1 - Relating to Education

Dear Chair Kidani and Members of the Committee,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **strongly supports** HB 1814, HD 1 that appropriates funds to train school personnel in the proper use of physical restraints as well as non-violent crisis intervention, and to develop and maintain a database to document all incidents involving the use of restraints..

This appropriation is vital to the implementation of Act 206 - Relating to Restraints and Seclusion in Hawaii Public Schools. The law provides for all school staff to receive training in identifying escalating student behavior and intervening early, so that the student does not require physical restraint. Seclusion, mechanical restraints (for example, tying a student to a chair) and chemical restraints (for example, medicating students to control their behavior) are forbidden under the law.

Therefore it is critical for all staff statewide to be trained in a timely way to protect all students from unnecessary restraints. SEAC strongly urges that full funding of \$460,000 for SY 16-17 shall be appropriated in order to fund training, data collection and one full-time equivalent position to oversee the provision of training, data collection, and the reporting requirements outlined in Section 1 of the bill. There is currently no money in the Department of Education's budget for these activities.

Thank you for the opportunity to provide testimony on this important legislation. If you have questions or concerns, please contact me.

Respectfully,

Martha Guinan, Chair

*Mandated by the Individuals with Disabilities Education Act*

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [EDU Testimony](#)  
**Cc:** [louis@hawaiidisabilityrights.org](mailto:louis@hawaiidisabilityrights.org)  
**Subject:** \*Submitted testimony for HB1814 on Mar 14, 2016 13:25PM\*  
**Date:** Saturday, March 12, 2016 12:07:38 PM

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**HB1814**

Submitted on: 3/12/2016

Testimony for EDU on Mar 14, 2016 13:25PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Louis Erteschik	Hawaii Disability Rights Center	Support	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.

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