

Written Only

DAVID Y. IGE  
GOVERNOR



KATHRYN S. MATAYOSHI  
SUPERINTENDENT

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

**Date:** 03/29/2016

**Time:** 09:00 AM

**Location:** 211

**Committee:** Senate Ways and Means

**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.



**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 29, 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 Rezentes

Ms. Rosie Rowe

Dr. Patricia Sheehey

Ms. Ivalee Sinclair

Mr. Tom Smith

Ms. Lani Solomon

Dr. Todd Takahashi

Dr. Daniel Ulrich

Dr. Amy Wiech

Ms. Jasmine Williams

Ms. Susan Wood

Amanda Kaahanui, Staff

Susan Rocco, Staff

Senator Jill N. Tokuda, Chair  
Committee on Ways and Means

State Capitol

Honolulu, HI 96813

RE: HB 1814, HD1 - Relating to Education

Dear Chair Tokuda 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 one full-time equivalent position to oversee the provision of training and data collection, and to complete 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