

Honolulu, Hawaii

Feb 7, 2006

RE: H.B. No. 2364

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committees on Education and Human Services, to which was referred H.B. No. 2364 entitled:

"A BILL FOR AN ACT RELATING TO CHILD ABUSE OR NEGLECT REPORTING,"

beg leave to report as follows:

The purpose of this bill is to expedite the reporting of child abuse or neglect by requiring staff members of a public or private school, agency, or institution that reasonably believe child abuse or neglect has or will occur, to immediately report it directly to the Department of Human Services (DHS) or police.

DHS testified in strong support of this bill. The Department of Education and Hawaii State Teachers Association supported the intent of this measure.

In at least one known incident, a public school teacher's report to the principal of suspected abuse was not reported to DHS or the police and the child was horribly beaten, maimed, and nearly died. Currently, a teacher is required to report the matter to the school's principal or designee, who then reports it to DHS or the police.

Your Committees are in agreement that this bill will ensure that known or suspected child abuse or neglect will be immediately reported directly by those who observe it. Moreover, the best evidence of abuse or neglect is obtained by direct reporting.

HB2364 HSCR EDN-HUS HMS 2006-1613



Your Committees discussed the clarification of the phrase "immediately report" and urges the Committee on Judiciary to examine and clarify the legal ramifications of the phrase, if it is deemed necessary.

As affirmed by the records of votes of the members of your Committees on Education and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2364 and recommend that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Education and  
Human Services,



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ALEX M. SONSON, Chair



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ROY TAKUMI, Chair



Record of Votes of the Committee on Education

Bill/Resolution No.: <b>HB 2364</b>		Date: <b>Feb. 3, 2006</b>		
Committee Referral: <b>EDN/HUS, JUD</b>		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended <input type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Recommit				
EDN Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	✓			
2. BERG, Lyla B., Ph.D. (VC)	✓			
3. ARAKAKI, Dennis A.				✓
4. CABANILLA, Rida T.R.	✓			✓
5. CHANG, Jerry L.				✓
6. GREEN, Josh, M.D.	✓			
7. HALE, Heléne H.	✓			
8. HARBIN, Bev				✓
9. KAHIKINA, Michael Puamamo				✓
10. SHIMABUKURO, Maile S. L.	✓			
11. WATERS, Tommy				✓
12. CHING, Corinne W.L.	✓			
13. FINNEGAN, Lynn	✓			
TOTAL	8			5
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
<i>Lyla B. Berg</i>				
Vice Chair's or designee's signature:				
Distribution:      Original (White) – Committee      Duplicate (Yellow) – Clerk's Office				

