



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

Date: 02/09/2015
Time: 02:00 PM
Location: 309
Committee: House Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 1398 RELATING TO THE DEPARTMENT OF EDUCATION.

Purpose of Bill: Allows public schools, upon appropriate approval, to use school resources to distribute to students and their families third party promotional materials that contain information about a community event or are produced by or offer services from a nonprofit organization if the material meets specified criteria.

Department's Position:

The Department of Education supports HB1398 because we believe it is important for our public schools to engage with community non-profit organizations. It is also our belief that decisions related to appropriate dissemination of relevant informational materials at schools, regarding community events, are best made by Principals, with input from their school community.

Allowing public schools to utilize state resources to distribute third-party promotional materials that have a clear benefit for students, which align with the department's educational mission or strategic plan tracks Board of Education Policy 1110-8 (Public Service & User Friendly Schools) which provides that:

The Hawaii State Department of Education is supported by public funds to serve the educational needs of the people of Hawaii. Its direct customers are the parents and the children of our State. It indirectly serves all the citizens of Hawaii.

All members of the Board of Education and all employees and volunteers in the Department of Education view themselves as public servants and endeavor to treat members of the public in a courteous and responsive manner.

This bill, which provides the authority under HRS Chapter 302A relating to Education, will enable our public schools to utilize state resources to distribute third-party promotional materials, within specific criteria, as detailed in the bill. We therefore ask for your favorable

consideration of this measure.

HB1398

Submitted on: 2/5/2015

Testimony for EDN on Feb 9, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	GLBT Caucus of the Democratic Party of Hawaii	Oppose	Yes

Comments: Where is the money appropriation to: A) implement this bill? Because these things won't be delivered by magic. It will take staff time and resources at a cost to all tax-payers. B) Defend this law in court when the DOE gets sued for a principal giving an organization unfair access because he or she does not like an organization or they are anti-whatever that non-profit is promoting. Or the lawsuit a parent files the first time they are offended by the content of a groups message or mission, even if it in line with the DOE's mission. Just look at the anti-vaccination cult that is growing. If fighting to ensure that ALL clubs are treated equally and fairly has taught the GLBT Caucus anything it is that principles need very strict guidelines when they are given the authority to enforce any rules of this nature. This bill does not do that and we find it completely unnecessary. Public schools are supposed to be a place of education not promoting any non-profit's events. These organizations don't pay taxes let them use their own funds to promote their events. Leave our public schools to educating our keiki. How does this bill further the DOE's mission and goal of education. For all these reasons we ask that you hold this bill in committee. Mahalo, Michael Golojuch, Jr. Chair



95-954 Makakilo Dr. #71 Kapolei, HI 96707 Email: Rainbowfamily808@gmail.com Phone: 808-779-9078 Fax: 808672-6347

February 8, 2015

House Education Committee

RE: HB 1398 Use of School resources for churches . IN STRONG OPPOSITION

Aloha Chair, Vice Chair and Members,

As President of Rainbow Family 808, a group of straight, LGBT families focused on peace and justice through education, I strongly OPPOSE SB1398 on behalf of all our families.

As a Social Worker, I have found that a recent lawsuit found some local non-profit churches were abusing their tax exempt status to shortchange the students and schools of much needed resources when they under reported time spent on school campuses. Certain schools gave 'sweetheart deals' to the churches that did not follow the contract guidelines for school use. As a Hawaii citizen, I have rented space from local schools and PAID for time we set up until the time we left the premises. Why are churches that already are tax exempt for income and in the case of property tax greatly discounted for their property taxes?

HB1398 again gives a 'sweetheart deal' for churches that other non-profits are not asking for. This bill gives no parameters for the discount and leaves the DOE open for more lawsuits to recover part of the income lost by having to re

HB1398 prepares the way for more abuse of their tax exempt status which echoes the basis for this article: "Movement to Put Churches in Every School". This bill also violates our Separation of State and Church that protects our Freedom of Religion Right.
<http://www.thenation.com/article/195105/movement-put-church-every-school-growing>

Please DO NOT PASS HB1398 for the protection of our Religious Freedoms.

Mahalo nui loa

Carolyn Martinez Golojuch, MSW - President

February 6, 2015

House's Committee on Education
Hawaii State Capitol
415 South Beretania Street, Room 309
Honolulu, HI 96813

Hearing: Monday, February 9, 2015 – 2:00 p.m.

RE: STRONG OPPOSITION for House Bill 1398 – RELATING TO THE DEPT OF EDUCATION

Aloha Chairperson Takumi, Vice Chair Ohno and fellow committee members,

I am writing in STRONG OPPOSITION to House Bill 1398 because it would turn our public school teachers, principals and complex area superintendents into event promoters. The implementation of this mandate would cost hundreds of thousand of dollars a year in staff time alone – from rules drafting, to staff training, oversight and distribution, never mind the complaints and lawsuits that will follow when a group has their “promotional materials” denied.

This bill fails to define what “promotional materials” would be considered. Without this definition it opens the floodgates to all promotional materials. I ask you just Google promotional materials and see what is out there and that will give the tip of the iceberg of what could be introduced for approval.

We, the taxpayers, are already supporting these non-profits organization that would product events that:

- Have a clear and specific benefit for students;
- Closely align with the department's educational mission; or
- Demonstrably advance the implementation of the department's strategic plan

via their non-profit status. This bill allows these organizations to double dip into the taxpayer pockets at the expense of our keiki's education. At a time when we should be trying to figure out how to ensure more of our taxpayer dollars reach the classroom, this bill endorsees siphoning off these desperately needed funds.

Our teachers are underpaid, we have schools that need air conditioning, renovating, and updated technology; and the list goes on and on. This bill does not help rectify any of these problems – in fact this bill exasperates all of these unresolved and detrimental issues.

When I was a public school student and we brought information home from school it was deemed important about our educational future. If this bill moves forward our students will become nothing more than another SPAM delivery system. The question you need to ask yourself, what important piece of information that the teachers are trying to get to the parents will fall through the cracks?

According to all my teacher friends, they have a hard enough time getting parent's attention for the issues that directly impact their own kids' educational future. Do we really want the teachers have to try that much harder to be heard over all the other “promotional materials”? I know my answer is no and hopefully that will be your answer.

Please vote this bill down!

Mahalo nui loa,

Michael Golojuch, Jr.
Mauka Lani Elementary School Alumni

HB1398

Submitted on: 2/8/2015

Testimony for EDN on Feb 9, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch	Individual	Oppose	No

Comments: This is an unnecessary burden on the schools and should not be passed. This measure will lead to law suits.