



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96808

February 13, 2018

TO: The Honorable Michelle N. Kidani, Chair  
Senate Committee on Education

The Honorable Josh Green, Chair  
Senate Committee on Human Services

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2323 – RELATING TO EDUCATION**

Hearing: February 14, 2018, 2:55 p.m.  
Conference Room 229, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports the intent of this bill and offers the following comments.

**PURPOSE:** The purpose of this bill is to establish procedures for a parent or legal guardian to obtain authorization to home school a child. It requires the complex area superintendent or the complex area superintendent's authorized representative to request Child Welfare Services to conduct a child abuse and neglect history inquiry and provide information to the Department of Education (DOE) to conduct a background check before approving or denying a notification of intent to home school. It also authorizes a parent or legal guardian to petition the family court if the notification of intent to home school is denied.

DHS respectfully requests clarification of certain parts of this bill. With respect to a parent or legal guardian intending on home schooling a child or children, the language contained in section 2 of the bill, page 7, lines 12-21, and page 8, lines 1-2 requires the complex area superintendent to provide to the DOE information necessary to conduct a "background check," but the bill does not require that any information be provided to DHS for such purpose.

The bill requires DHS and DOE to complete a “background check” within five days. The definition of “background check” (as indicated in page 12, lines 17-21 and page 13, lines 1-11), requires a review of not only child abuse and neglect records, but criminal history records, sex offender records, and records maintained by other states. DHS only maintains information on child abuse and neglect which occurred within the state. DHS requests the bill be revised to clarify that DHS shall only be required to provide information on child abuse and neglect within the state.

DHS maintains confidential records on child abuse and neglect in accordance with section 350-1.4, Hawaii Revised Statutes (HRS). As required by law, DHS maintains a state central registry of confirmed perpetrators of child abuse or neglect. This state central registry is based on the name of the perpetrator and indicates only whether a person has been confirmed by DHS as a perpetrator of child abuse or neglect within the state. With the consent of a parent or legal guardian, DHS would be able to conduct a child abuse and neglect registry clearance (CAN clearance) on a parent or legal guardian and inform the DOE whether that parent or legal guardian had been confirmed by DHS as a perpetrator of child abuse or neglect.

However, this is the only information that is available through a CAN clearance. A CAN clearance would not provide detailed information regarding services that were provided to the parent or legal guardian, subsequent safety assessments, evidence of rehabilitation, or whether there was reunification with the child. For this reason, a CAN clearance may unjustly deny a parent or legal guardian the opportunity to home school their child or children.

DHS is also unclear as to the requirement that DHS conduct a child abuse and neglect history inquiry on the child intended on being home schooled and any other child residing in the same home. The state central child abuse and neglect registry is based on the name of the parent or legal guardian; it is not based on the name of the child. DHS is not able to conduct a CAN clearance based on the child’s name.

DHS requests clarification as to whether it is the intent of this bill to require DHS to conduct an inquiry based on the name of the child who will be home schooled, as opposed to the name of the parent or legal guardian of the child intended to be home schooled. DHS is able to conduct a search through its files to determine whether that child has been a victim of child abuse or neglect. However, if the child had suffered abuse or neglect, and the

perpetrator has not provided DHS with consent to release his or her information (such as where the perpetrator is someone other than the parent or legal guardian of the child intended to be home schooled), DHS could only provide DOE with the fact that the specific child had suffered abuse or neglect, but could not provide DOE with the name of the perpetrator.

If this bill is passed, DHS may require a staff increase, and a general fund appropriation, to support the additional requests for child abuse and neglect information.

Thank you for the opportunity to testify.

**SB-2323**

Submitted on: 2/13/2018 10:06:23 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Ezra Mell           | Individual          | Oppose                    | Yes                       |

Comments:

SB 2323 is a naïve response to a real problem of child abuse that will do nothing but subvert the constitutional rights of citizens, squander tax dollars, flood an already burdened Department of Child Welfare Services, and distract the superintendents from their current responsibilities which they are clearly already struggling with, considering Hawaii is ranked #47 out of #50 states for college readiness.

If a parent chooses to send his child to a public school, he is authorizing the public school to teach his child, to even act in his place in many situations while her child is under the school's supervision. But this bill subverts parental authority and family autonomy. It requires parents to gain authorization to teach i.e. parent, their own children.

My wife and I parent and homeschool as a part of our religious convictions. I believe I have a biblical mandate to be the primary teacher of my children. To submit to this bill is to infringe on my free exercise of religion

Some may say that this shouldn't be an issue because all I need to do is agree to a background investigation. No, I refuse to be subject to an invasive background investigation. As an American citizen I am constitutionally protected against such search without probable cause.

If the legislators of Hawaii want to look to probably cause, please consider the two year study conducted by the CDC under the Obama Administration entitled "Within Our Reach: A strategy to Eliminate Child Abuse and Neglect Fatalities" which does in fact list common risk factors for abuse, none of which are homeschooling, and which also does in fact propose several promising solutions and strategies to have a positive

impact on abuse and neglect. It calls for evidenced-based solutions. This bill is not evidence-based.

Aside from this being a gross violation of my first and fourth amendment rights as a United States citizen, let's look at the actual bill.

This Bill is a disingenuous response to child abuse and the weaknesses within the Child Welfare System in Hawaii. The US Department of Health and Human Services data for Hawaii for one year, 2015, stated that there were 4 deaths and over 1,500 confirmed cases of abuse and neglect in Hawaii. That is one year. This bill does not do anything to help these children, stating as its basis a single case from twenty years ago.

This bill is a complete smokescreen that erroneously scapegoats homeschooling families. It is not going to do anything to actually positively impact the very real problem of abuse and neglect in the state of Hawaii. It will waste time, resources, money, and unnecessarily add a significant workload to an already overwhelmed CWS, an ineffective Department of Education, and a flooded family court docket.

If CWS is failing our children, then write an evidenced based child welfare law that will actually help our keiki. This bill is not it. You must reject this bill.

**SB-2323**

Submitted on: 2/14/2018 9:30:31 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Tia Heldt           | Individual          | Oppose                    | Yes                       |

Comments:

As a life long resident of the State of Hawaii, public school graduate, Former Waianae High School Art Teacher, the wife of a 17year Hawaii DOE Teacher and a Homeschooling parent of 10 years. I oppose SB2323.

The two cases this bill has highlighted as a motivator were not and cannot be considered cases of Homeschool Abuse or Neglect. Both unfortunate victims were the result of the failure of our Public Schools and our Child Protective Services. Peter Boy was a preschooler, not yet eligible for the 4140 Form, legally not a homeschooler. In the Case of the Big Island Girl, CPS FAILED to provide a safe and stable place for the girl. She was still in the care of family members who continued their abuse of her. Neither of these are cases of Homeschooling Families that are abusing their child. In fact there are no statistics to support the idea that Homeschoolers and child abuse are a concern at all.

Our Child Protective Services are already overworked, over crowded and under staffed. It would be a huge burden to these branches when there are already concerns about the efficiency of them. Our Islands are a very transient destination with thousands of military coming and going each year. How could we possibly add this burden to our CPS system, taking away time and resources from the children that truly need the system? Coming into the homes of Homeschool families implies a "guilty until proven innocent" mentality that goes against our Judicial System. It targets one sect of educational avenues without looking into the families of Public, Private, Charter and other schools.

Statistically speaking Homeschool Children are the safest at home. With rising rates of Bullying, Abuse within the school, Sexual misconduct by Teachers and School Shootings, Homeschool families are choosing to PROTECT our children by not placing them in potentially harming situations. Lawmakers should be working to reduce those statistics. Also looking at statistics show that the highest incidence of abuse for Hawaii Children is before the age of 4! Before the child is eligible for school. Lets target THAT statistic instead of one that doesn't exist.

The State of Hawaii already has laws in place allowing for Homeschooling and the requirements it takes to do so. These laws work well and facilitate the communication and contact with Students and parents. We don't need to amend or change the Homeschooling laws in Hawaii. They are fair and working well.

The truth is , there is a very large and very active Homeschooling Community in Hawaii. And sadly that is in part to the poor condition of our Public School System. I know first hand about the failing of the system, I worked as an Art Teacher previous to having children. My husband is currently employed in his 17th year as DOE Teacher. And yet we have chosen to homeschool our children where they thrive Academically, Physically and Mentally. Free of the abuse seen and experienced everyday in our Hawaii Public Education system.

SB2323 is a terrible Bill that will not protect children from Abuse as it is intended. It will burden our CPS and DOE Agencies with added responsibility and attack the rights of Parents to Educate our Children the way we see fit.

I oppose Bill SB 2323

Aloha. I would like to start by thanking all of you who are serving on the education committee and the human services committee for your hard work and commitment to the welfare of our keiki. I think it is safe to say that we all agree that our keiki are society's most precious and innocent treasures. We all have a responsibility to protect and nurture the loveliest and most vulnerable members of society. It falls on us to serve as good models for them so that they will grow in wisdom, and when it is their turn, and it will be their turn one day, they will be equipped to become leaders in society whether that is in the workplace or in the community or in the home. Thank you also for upholding the process and taking time to hear our voices and concerns regarding Bill SB 2323.

We as homeschool parents take the care and well-being of our children very seriously. Homeschooling has been subject to a negative stigma mostly because people may not understand what we do or why we make the choice to homeschool. Each of us has a different story and each of us has a different reason for homeschooling, but the one thing we have in common is a total commitment to the safety, education, and wellbeing of our children. One of the big misconceptions about homeschoolers is that we are reclusive. We are not reclusive; quite the opposite. We have thriving rich community activities provide our children the community they need. They abound in educational opportunities and friendships.

Unfortunately, predators and abusers lurk in all corners of society. They are in our schools, our doctors' offices, in stores, in sports clubs and many more places. Sometimes they are even in your neighborhood. They must be stopped, but this bill as written is simply not the way. This bill will do little to catch these people and it will only create additional work for an already overburdened child welfare system. It is an expensive bill and it is an unconstitutional infringement on parental rights. It profiles a minority group and treats them like criminals.

This bill has good intentions. It cites a horrific tragedy which resulted in the torture and death of an innocent little boy known as Peter Boy. The truth is that this little boy's death should have never happened. Homeschooling was not the problem. The problem lies in an over inundated child welfare system, the same system that is supposed to oversee the proposed rigorous yet vague vetting processes for prospective homeschooling parents. The same system that will immediately have to take on a massive case load in order to qualify all of the homeschool families in this state. The state was already aware of the history of abuse little Peter Boy was subjected to, but there was improper follow up for his case. Where were the social workers after he was reunited with his parents? Are they not the ones who are supposed to make sure he was receiving the safe home he needed, after all he was assigned a social worker wasn't he? Most likely the social worker was struggling to keep up with the impossible volume of caseloads he or she was given. And, if that is not the case that social worker needs to be investigated and or retrained.

Bill SB2323 has concerning and vague verbiage. Specifically it states in Section 1 under the purpose of this act subsection number 2 and in several other places in the bill, "Upon receipt of



a notification of intent to home school, require the complex area superintendent or the complex area superintendent's authorized representative to request child welfare services to conduct a child abuse and neglect history inquiry regarding the child intended to be home schooled and any other child residing in the home of the child intended to be home schooled". The part referring to child welfare services conducting a child abuse and neglect history inquiry is vague and not well defined. It gives no explanation of specific procedure or guideline for the inquiry in question. It gives the parent no way to know what they have to agree to for this inquiry, which is an investigation, yet if a parent wants to homeschool, that parent(s) will have to agree or be denied as stated in section 2 subsection e subsection 1. This assumes that the agency conducting the inquiry can conduct the inquiry in any way they see fit and that the agency may change the policy without requiring notification or approval as there is no specified standard. It does not do enough to protect the privacy and rights of the parents and children undergoing investigation.

Another section where the verbiage is vague and concerning is in section 2, subsection b, subsection 7, which states "Or any other information the department deems necessary". This is in regards to what the parent needs to provide when notifying the school of intent to homeschool. The phrase assumes the superintendent or superintendent's representative can ask for anything as long as it is necessary in his or her opinion or the parent shall be denied. Like the above statement this does not protect the privacy or rights of law abiding innocent citizens or legal residents undergoing this investigation.

Bill SB 2323, if passed, will discriminate against adoptive families and families of children with special needs. It assumes a higher risk for these groups. This is stated in section one number five which outlines themes that may contribute to child abuse. As we all know the adoption process involves rigorous qualifying that can take from months to years before the adoption is allowed to go through. These parents, who have taken it upon themselves to open their home to children in need have already been well qualified and many receive follow up services particularly for their special needs children and many are also involved in a network of supportive adoptive parents and advocates. They have already been qualified. Parents of children with special needs often homeschool because of the inadequate services that the public-school system is lacking. The school system has failed many of these kids and the parents are providing the right environment to meet their children's needs. Bill SB 2323, if allowed to pass, singles out these parents as higher risk and due to the vague verbiage as mentioned previously may put them at risk for further discrimination by way of unspecified investigation and assumption of guilt.

This law is a discriminatory dragnet proposal designed to capture predators at the expense parental rights and personal privacy. The ACLU called Bush's wiretapping law unconstitutional and fought against it because it would invade the privacy of innocent people in an attempt to catch criminals. What this bill is proposing is similar. It discriminates by singling out a specific group in which there is no measurable data to prove higher incidences of offence and subjects them to personally invasive investigation and violates their privacy in an effort to discover

unknown criminals. With this bill thousands of law abiding people will be treated like suspects in a dragnet effort to capture unknown criminals.

This law, if passed, will perpetuate a negative stigma around homeschoolers who are acting within the law and exercising their legal parental rights. It will single out homeschoolers as a minority group and subject homeschooling parents to false assumptions of guilt and discriminatory investigations. If passed into law, this is a gateway to further restricting of freedoms granted to us as citizens of the United States of America. Discrimination and profiling starts small but can escalate. We have seen things like this in the past, even here in Hawaii. In Honouliuli, Americans of Japanese ancestry were held against their will in concentration camps with no evidence of guilt. Dany form of discrimination and profiling have to be avoided at all costs. Our great state, the state that stood up to travel bans designed to single out specific ethnicities and religious affiliations as a threat, simply cannot think of singling out the minority group that is homeschoolers and subject them to investigations that are invasions of privacy to catch criminals that may or may not exist. Recently we have made so many advances and brought awareness to minority groups and what they have suffered in an effort to create inclusionary policies designed to eradicate bigotry and assure fair treatment and equal opportunity. And in this regard, there is much work to be done so that everyone will be treated with dignity and seen as a whole and valuable person and member of society. If this bill is passed into law it will be a step backwards not forward. We have to ask ourselves, is this who we are? I thought we were free. I thought we fought against investigating people without just cause? And I thought we were innocent until proven guilty. And I thought we didn't need to be qualified by governing agencies before making choices that are in the best interest of our children and are within our legal rights as parents. If we pass this law, what's next?

**SB-2323**

Submitted on: 2/14/2018 12:31:31 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Clifford Hillier    | Individual          | Oppose                    | Yes                       |

Comments:

I oppose this legislation for many reasons. I am a father of seven children, five of them have been or are homeschooled at present.

1. I think this a breach of homeschooling parents 4th Amendment Rights against unreasonable search
2. This is discrimination against homeschooling parents as public schooled parents are not subject to government inspections without a warrant
3. Searches of homes like this should only be completed with a Warrant - where the authorities show due cause to a judge for the search
4. This legislation places an undue burden upon homeschooling parents.
5. It is an invasion of our privacy
6. The interpretation of "fit to homeschool" can and would be subject to interpretation and abuse by the inspectors and government in general
7. There will be a large cost to this. Who will pay for this? Homeschoolers in an application fee? Out of our already way too high State taxes?

Thank you for the opportunity to submit testimony. I hope to attend in person.

My name is Jenny Nakagawa. I am a lifelong Hawaii voter and resident and currently reside in Honolulu. I have been a teacher and tutor in the past and am currently a homeschool educator and stay at home parent. While my own children are students at a public charter school, we often interact with homeschooling families in educational co-ops and for extracurricular and enrichment activities. Homeschooling has been a positive experience for my family as it doesn't restrict learning to daily classroom routines and fosters child-led learning activities and thinking. While I believe child abuse is an inexcusable crime against the most vulnerable in our society, have seen its effects on members of my extended family and in my community, and I commend the legislature for their efforts to stop child abuse and neglect in Hawaii, I oppose Senate Bill 2323 and urge you to vote "No" on Senate bill 2323 because this proposed legislation unfairly targets homeschooling families as potential child abusers.

There is no data to support any link between homeschooling and child abuse and neglect. The World Health Organization, The U.S. Commission to Eliminate Child Abuse and Neglect Fatalities, and the American Psychological Association do not list homeschooling as one of the risk factors for child abuse. According to the Centers for Disease Control and Prevention (CDC), there are over two dozen known risk factors for victims of child abuse and perpetrators of child abuse. Homeschooling is not a risk factor for child abuse.

The CDC cites a number of protective factors that serve to buffer children from abuse and neglect, including: nurturing parents, stable family relationships, supportive family environment and social networks, household rules/structure, parental employment, and adequate housing. You should all to meet the citizens of your community who are homeschooling families and who exemplify the research findings published by the CDC.

This proposed legislation wrongly accepts that homeschooling families are potential child abusers. It assumes homeschooling parents as guilty of abusing their children until proven innocent. Restricting our civil liberties and violating parental rights, and restricting our freedoms is the opposite of the values for which Hawaii stands. Hawaii is usually very progressive in embracing innovative ideals. Please do not disregard our human freedom to parent and educate our own children.

The bill states that (in addition to five other requirements) a homeschooling parent (and all other adults residing in the home) must:

" Agree to be "subject to a background check conducted by the department or its designee and consent to the background check"

" Agree to provide "any other information that the department deems necessary"

This bill does to homeschooling families what racial profiling does to individuals of a certain race, ethnicity or religion. It demonizes those who choose to homeschool and criminalizes their refusal to be subjected to government scrutiny and a criminal background check. This bill grants the government permission to ask homeschooling families for "any information deemed necessary." The government can ask for "anything", and this bill states that the right to homeschool can be denied "for any reason." This is government overreach and not something in which a state like Hawaii, which values the liberties and rights of its citizens, would do.

Forcing homeschoolers to submit to background checks like common criminals is not going to prevent child abuse in Hawaii. School administrators should not determine whether parents are qualified to teach their own children. If a school superintendent doesn't like a parent's attitude or curriculum for science or social studies, they could be denied the right to homeschool in Hawaii. What if the school superintendent doesn't like a homeschool parent's sexual orientation (we have many LGBTQ homeschooling families on Oahu alone), religion (many families homeschool because private religious schools are too expensive –

Catholics, Mormons, Evangelicals), history of mental illness (like depression, PTSD), history of criminal conviction (shoplifting, use of marijuana), physical fitness (obese), or health/disability (like being deaf or in a wheelchair) Will these characteristics result in a suspension of a parent's right to homeschool their child? How will you ensure protected classes are not facing discrimination in the execution of this law? What if a child lives with an extended ohana and family members are not US citizens? How will you investigate these individuals? The state is clearly overstepping here and it lacks the funds and resources to police this amount of people.

Focusing on homeschooling families is unfair. There is no data that supports that homeschooling families abuse children more than non-homeschooling families. Why target this population? If the state is willing to throw money toward screening and investigating homeschoolers, what's to stop it from doing this to all other parents who enroll their children in public, charter, and private schools. From my experiences as an educator and as a Hawaii resident, it appears that people who were abused as children occurred while under the care of the state in CWS while being shuffled between foster families and random relatives who would take them in. These individuals are usually students in public schools, not charters, not private institutions, and not homeschoolers. My experience with homeschooling families has been that some homeschooling parents choose to homeschool to protect their children from abuses that they could receive at schools such as bullying, physical or verbal abuse by adults and peers due to race, sexual identity, religious identity, or physical appearance, and sexual abuse by peers or adults. I doubt that the state has the funds to screen all parents, and singling out homeschoolers as potential child abusers is wrongful profiling of the worst kind. Government organizations like TSA screens everyone equally, why shouldn't the state? Again there is zero data that pegs homeschooling parents as more likely to abuse their children. This legislation seems to be drawn up based on media headlines in local and national media – reactive to the very real problem of child abuse.

If a parent wants to abuse their child, they don't need to do so during school hours (as has been highlighted recently by cases in the media where children have been severely neglected). They can do so at night or on the weekends. They can do so before or after school, before or after extracurricular activities, before or after church. They can have their children enrolled in any kind of school: public, private, charter, or yes, even homeschooled. How will screening homeschooling families stop the overall abuse of children in our state if abuse can happen anywhere and anytime to any child by anyone? Are we going to screen all parents who enroll their children in sports, or go to church, or have their kids in a dance or music classes? Will we screen all adults who live in their house as well?

Parents have the constitutional right to educate their children in customized ways that best suit their needs. This is legal in the United States. Through this proposed bill you are criminalizing this positive activity.

Homeschooling families live in Hawaii. They pay taxes. They vote. They work hard to improve the quality of life for everyone in this beautiful state. They volunteer many hours to enrich the learning experiences of their children and to better the community.

Look at homeschooling families and study them and their children. They are a diverse group. They are doing a fantastic job educating our keiki at home. Don't let a few unfortunate cases define a wonderful segment of our Hawaii population! Support homeschoolers! Teaching our keiki at home is helping the over-populated public school system where teachers are underpaid and over worked and students don't get the one-on-one instruction that they deserve. If you want them to get involved in public schools, let them do extracurricular activities at them! Homeschooling is costly for families, and homeschoolers are always looking for creative ways to enrich their daily schedules with fun and educational activities. Don't presume homeschooling parents are child abusers. Don't mark them guilty until proven innocent. Don't put more of a burden on our families or state employees to conduct such unconstitutional inquiries. Don't

criminalize homeschooling. Homeschooling is good for Hawaii. It makes us smarter. It makes us better.

Vote "no" on SB2323. Legislation should be based on sound, peer-reviewed research. Homeschooling laws in the state of Hawaii should remain unchanged – there is already a process in which homeschoolers can be reviewed by public schools at the end of each school year. This bill, in targeting homeschoolers, would place additional burdens and cost on child welfare services. Contrary to our system of law where people are presumed innocent, this bill assumes all homeschoolers are suspect until proven innocent. I stand with you to stop child abuse but let's find a more sensible and efficient way to stop the abuse of our precious children without criminalizing a group of outstanding citizens. Again, vote "no" on SB2323. Thank you.

**SB-2323**

Submitted on: 2/13/2018 6:23:57 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| Submitted By    | Organization | Testifier Position | Present at Hearing |
|-----------------|--------------|--------------------|--------------------|
| Melissa Johnson | Individual   | Oppose             | No                 |

Comments:

Child abuse is such an important issue but It really doesn't make sense to give one agency the power of authority over families simply because the children protective services agency is failing in their job. You don't bring another agency in to figure out what's wrong with the agency that's already in charge of protecting children, you reform the agency that's failing.

As a mother of a special needs child this is so alarming. Most administrators who would be making this decision are ill-equipped and under-qualified in making a decision about what's best for many special needs children. Even under federal IDEA law a parents input deemed as being equal is Safeguarded. Placing the school as the complete authority over whether a child can be homeschooled or not violates this protection. There are so many known documented cases where the School system has failed and have even allowed abuses to occur within the school system. Giving complete authority and control over to a system that has been guilty of abuse in it's own right is like giving the authority over to a perpetrator. My own child was traumatized by the school system and was unable to attend due to the trauma. In my case the infliction was not intentional but was rather due to lack of education and training into my child's disability. Then when my child was unable to attend the school threatened With truancy instead of reaching out and help solve the problems. We were forced into putting a home program together and my son is now thriving. He is no longer interested and depressed and expressing was just with truancy instead of reaching out and help solve the problems. We were forced into putting a home program together and my son is now thriving. He is no longer anxious and depressed and is gaining so much ground academically. If I did not have the right to homeschool and would've had to go through the same administration that was traumatizing my child in order to get permission it would've been even more tramatic for our family than it was.

I Also run a support group For parents of children with disabilities and if you knew an inkling of what these families have been subjected to simply due to undertrained school staff, bullying left unchecked, and inadequate services you would understand how dangerous this law is. Many of my parents needed to safeguard of being able to homeschool immediately to keep the children safe! Furthermore, The financial burden this would put on families trying to fight the decision of the administrator would be so paramount. Please I urge you to vote no. No one administrator who is not a trained judge should have that much power over family.





**SB-2323**

Submitted on: 2/13/2018 4:26:02 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Lorna Wong          | Individual          | Oppose                    | No                        |

Comments:

As a parent who is homeschooling my children because it is the best way to care for their body, mind, and soul, I oppose SB 2323. This bill would require that both my child and I undergo a rigorous vetting process and be approved before I can homeschool. If I disagree with the superintendent's decision, my only way to appeal is by filing a petition in family court, where I bear the burden of proving that homeschooling is appropriate for my child. Hawaii's current homeschool law strikes a healthy balance between respecting the constitutional right of parents to homeschool and having regular contact between parents and school officials through the filing of a notice of intent and an annual report on each child's progress. That balance shouldn't be scuttled in the hope of creating a dragnet.

I had the opportunity to homeschool three of my children who have demonstrated high self-esteem/confidence, self-awareness and global awareness. They have become leaders that influence youth in a positive way in their church community and in the innercity of Chicago. I would like to do the same for our fourth child who is now five years old.

thank you for your time and consideration,

Lorna Wong

**SB-2323**

Submitted on: 2/13/2018 4:52:28 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Addie Elliott       | Individual          | Oppose                    | No                        |

## Comments:

As a homeschooling parent who loves children and wants what's best for them, I strongly oppose SB 2274 and SB2323. For more than 30 years, Hawaii has recognized the constitutional right of parents to teach their children at home. Hawaii's current homeschool law strikes a healthy balance by respecting the right of parents to homeschool without obtaining approval from the state, while also ensuring that regular contact exists between parents and school officials through the filing of a notice of intent and annual report on each child's progress.

**SB-2323**

Submitted on: 2/13/2018 5:07:05 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| rachel sample       | Individual          | Oppose                    | No                        |

Comments:

This is an absolute overstep of the government. What right does the govThis is an absolute overstep of the government. What right does the government have in telling us we can or can't educate our own children? The state has no right to our children, they were given to us to raise, care for, and nurture. You can't let fear of what could happen override the rights of parents. Instead of getting the government involved how about people return back to the time of being a good neighbor and looking out for each other ? Why don't we go back to humanity of caring for our community as individuals instead of regulating this to the government that is obviously inept in accomplishing most things.

Very respectfully,

Homeschooling mother to 7 brilliant children!

**SB-2323**

Submitted on: 2/13/2018 7:43:55 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kristen Lee         | Individual          | Oppose                    | No                        |

Comments:

Dear Committee:

As a homeschooling parent who loves my children and wants what's best for them, I strongly oppose SB 2323. For more than thirty years, Hawaii has respected and recognized the constitutional right of parents to teach their children at home. Hawaii's current homeschool law strikes a healthy balance by respecting the right of parents to homeschool without obtaining approval from the state, while also ensuring that regular contact exists between parents and school officials through the filing of a notice of intent and an annual report on each child's progress.

In March 2016, Congress's national Commission to Eliminate Child Abuse and Neglect Fatalities published a report calling on state legislatures to take a broad and holistic approach to preventing child abuse. The Commission identified several key factors for abuse - which did not include homeschooling - and encouraged state legislatures to carefully examine the causes of child abuse locally to identify real solutions. The Senate should consider the Commission's recommendation before it dramatically reshapes Hawaii's homeschool law.

I oppose SB 2323, which would automatically treat all homeschooling families as suspected criminals and child abusers. SB 2323 would place homeschool families in a position to undergo a rigorous vetting process in order to obtain approval to homeschool. Parents would be required to undergo social services as well as background checks. If parents do not give consent, the DOE superintendent would automatically deny the request to homeschool. In order to appeal this decision, parents would have to report to family court to file a petition. Rather than presuming that all homeschooling families are guilty until proven innocent and placing the burden on social service workers to conduct routine records checks of thousands of homeschooling parents and children, the Senate should pursue policy changes that will give social workers the staffing, training, and resources they need to investigate actual cases of abuse and neglect.

In the case of Peter Boy Jr., even public school was not able to prevent the continued abuse of Peter Boy and his siblings. Due to the oversight and incompetence of Child Protective Services, Peter Boy Jr. was placed back into the abusive environment which consequently caused his death. Child abuse and neglect is horrific, but to place

restrictions on an an entire demographic of homeschooling families would not address the causes of child abuse - nor would it stop future cases from happening. Child abuse occurs over a wide array of demographics and ages of children, including children who are not yet old enough to attend school. There is no data to suggest or prove that homeschool families are high risk for child abuse and neglect. In fact, I find the opposite to be true. Homeschooling families put a lot of time, effort, and money into providing their children with opportunities to meet individual needs that would not be provided for or accommodated in a traditional school system. Perhaps policy changes to existing organizations which investigate cases of child abuse and neglect would be a better way to honor Peter Boy Jr.'s memory.

Respectfully,

Kristen Lee

**SB-2323**

Submitted on: 2/13/2018 9:38:35 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Keith Yoshimoto     | Individual          | Oppose                    | No                        |

Comments:

Dear State Senate,

We have been homeschooling our children for over 10 years, and have found it to be a very effective method for education. My wife and I are both local graduates from private schools (Punahou and Mid Pac), and my mother is a retired public school teacher and principal whose self sacrifice and dedication to the public school students has given me a great respect for all public educators. However, while both of those options (private and public) have their benefits, we've found homeschooling to be yet another good education option for the parents in Hawaii.

I am disturbed and deeply saddened by the tragic cases of child abuse that have been in the news lately, but I do not think that targeting all homeschoolers is the answer.

I oppose SB 2323, which would automatically treat all homeschooling parents as suspected criminals and child abusers. Department of Education regulations already instruct school officials to contact social services if they believe a homeschooled child is suffering from abuse or neglect. Rather than presuming that homeschooling families are guilty until proven innocent and saddling social workers with the task of conducting routine records checks on thousands of homeschooling parents and children, the Senate should pursue policy changes that will give social workers the staffing, training, and resources they need to respond to allegations of abuse and neglect.

**SB-2323**

Submitted on: 2/13/2018 10:04:40 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Lana Coryell        | Individual          | Oppose                    | No                        |

## Comments:

Aloha members of the Senate,

My name is Lana Coryell and I was born and raised in Hawaii. Some of my relatives have elected to homeschool their children who range in age from 5-15. These keiki are well-educated, respectful, kind, intelligent and engaged in their communities. They participate in various classes at a local homeschool center, participate in team sports, and are involved in their local church. Along with their parents, these children are positive contributors to society. I oppose SB 2323, which would automatically treat all homeschooling parents as suspected criminals and child abusers. Rather than presuming that homeschooling families are guilty until proven innocent, we should pursue other policy changes that would give social workers the resources they need to prevent and respond to allegations of abuse and neglect. SB 2323 could negatively impact many families who care so deeply about the overall wellbeing of their children that they have made many personal sacrifices and devoted hours each day to provide their keiki with an incredible education. I do not support SB 2323, since there are other ways to make Hawaii safer for ALL children, regardless of whether they are homeschooled or attend a public or independent institution. Mahalo for your time and consideration!

**SB-2323**

Submitted on: 2/14/2018 12:05:34 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Lisa M              | Individual          | Oppose                    | No                        |

Comments:

I oppose SB-2323. My name is Lisa, a military dependent who has lived on island for 19 months and will be moving again in less than 3 months. The freedom to homeschool my children has provided stability and consistency in their education. My husband and I choose the education to best suit our children, that is not the states responsibility. Our military culture is unique, complete with embracing new communities, cultures and enduring transitions of change. Homeschooling offers parents the freedom to provide normalcy in their education.

SB-2323 would most certainly have horrific effects on parental rights and freedom to homeschool children as soon as military families arrive on island. Allowing a public-school superintendent (who is normally pro-public school) decide whether a parent is suitable to homeschool and subjecting them to an intrusive inquiry and background check by Child Welfare Services, is an over reach of government authority. This timely intrusive process would hinder an otherwise progressive homeschool education.

The Fourth Amendment of the United States Constitution provides “the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” The ultimate goal is to protect people’s right to privacy and freedom from unreasonable intrusions by the government.

Child abuse is horrifying. However, there is no evidence that suggests that homeschooled children are at a higher risk of abuse solely because they are homeschooled, or that any of the intrusive requirements proposed in SB-2323 would actually prevent child abuse from occurring in a home school environment. Child Welfare Services are already overburdened, and are unable to adequately monitor known abuse cases and have returned abused children to abusive environments, none of which have been homeschool families.

This bill will create an unnecessary delay for parents/legal guardians who seek to homeschool their child(ren). I strongly oppose SB2323.



Respectfully,

Lisa M

Military Spouse and Homeschool Mom

**SB-2323**

Submitted on: 2/14/2018 9:37:40 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| sandi moore         | Individual          | Oppose                    | No                        |

Comments:

To whom it may concern, I am a college graduate, Christian, Military homeschool mom. My husband and I moved here three years ago from Coronado, CA. We were told to either private school or homeschool our children. The school, Silver Strand Elementary, had a lot of children that came from Hawaii school system, repeat grades due to being educationally behind. Because we did not know where we were going to live when we arrived in Hawaii, we chose to homeschool our children. When we found out the school we were zoned for, after hearing mixed reviews, we have decided to stay with homeschooling.

I understand the position you are in, but mass hysteria over a few incidents does not mean the government should have the right to restrict others rights due to only a few isolated cases. We have a right to decide how best to educate our children. With the increase in school violence, its comforting to know that our children are home and thriving in a safe enviroment.

I have done my part at record keeping, testing, and making sure my children are academically thriving. I dont take my job lightly, I have created an enviroment of rich learing and growth for my children. My children's test scores prove it.

I know I'm not in your shoes. I will pray for you for wisdom to make the right choice.

Sincerely,

Sandi Moore

Senator Kidani and Senator Green and committee members for reviewing my testimony. My name is Richelle Lopez Benson. I was raised here, and grew up in the public school system. I am a Registered Nurse, prior service in the US Army, volunteer in many community organizations, and homeschool parent. My husband & I have always homeschooled our younger three, and benefitted from the flexibility and opportunities it provides. We have always been active in serving our community through various avenues through private & public organizations.

As a mother & nurse, respecting & protecting all life is very important. Protecting our children should be a priority. We should have a safe & loving home for all our keiki. We should offer the best educational opportunities available for our them. For these reason, we have always homeschooled our kids.

Unfortunately, there are those families that have not protected their children. These families who are cited as having abused their child(ren) under the guise of homeschooling, are not true homeschooling families. They are using homeschooling to perpetuate their evil deeds, to allow their children to be truant & neglected, and thereby abusing their child. Homeschooling does not abuse children. Child abusers abuse children.

SB2323 is not the way to identify the abusers you are looking to find. You will find that our homeschool families are productive citizens of their communities. We are families who have carefully created their homeschool environment to be a home with the richness of learning and fostering the growth for their children: academically, socially, and spiritually. In turn, these families share their goodness with those around them. We get no additional state or local government benefits for homeschooling. We pay taxes to fund our public schools of which our children to do attend. We purchase our yearly curriculum with our own household finances. Despite these things, homeschooling is a better option for our families. SB 2323 is intrusive on these families just because of we choose to exercise our right to educate our children in the manner we, as parents, see fit. The State of Hawaii already requires a 4140 Notice of Intent to Homeschool. Within it, there is already a requirement for homeschools to provide an academic profile or assessment every other year. Those of us, who are law-abiding citizens, are being lump in together with those who are a misrepresentation of the rest of the homeschool communities. And, we are the ones who are treated like we are the criminals because we choose to homeschool. We are made to prove our innocence because of those who stained our communities, broke the law, and hurt and / or killed their own child(ren.)

SB2323 will also require funding. This will undoubtedly increase the workload on the state. Who will incur the burden of the cost to run the background checks, the personnel, the paperwork, and the like? Are other educational institutions (public & private) requiring the same background checks of their parents? For that matter, will a similar bill be imposed to ALL parents?

I implore you to oppose SB 2323, and ALSO, to find another alternative to identify those who are endangering our keiki.

Thank you for your time.

Very respectfully,

Richelle Lopez Benson

Ewa Beach, HI 96706

**SB-2323**

Submitted on: 2/14/2018 8:45:47 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Wendy Awai-Dakroub  | Individual          | Oppose                    | Yes                       |

Comments:

Hello

My name is Leah Dakroub and I am 10 years old.

I am here today to ask you to vote NO on SB2323.

I believe this bill will have a negative impact on our homeschooling community and homeschoolers like myself.

It will send a message to the public that all homeschooled children in Hawaii are being abused or neglected and this is not the case.

I have been homeschooling for 4 years. I am a world traveller, champion swimmer, artist, blogger, volunteer and photographer. These are things that homeschoolers do.

Even though I strongly condemn child abuse and neglect, I believe we need to oppose changes to Hawaii's homeschool law and Vote NO on SB2323.

Thank you.

**SB-2323**

Submitted on: 2/14/2018 1:02:40 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| Submitted By       | Organization | Testifier Position | Present at Hearing |
|--------------------|--------------|--------------------|--------------------|
| Aurora Rose Wilson | Individual   | Oppose             | Yes                |

Comments:

Honorable Senators,

My name is Aurora Rose Wilson. I am 11 years old. I was Public Schooled for 4 years and Homeschooled for the last 2.

Senators, I was bullied in school. It started with two girls saying mean things about me and it spread to the whole classroom. None of the teachers knew this was happening, and my grades began to fall. When I tried to tell the teacher, she did not take me seriously. I also had difficulty helping my parents understand my distress. When I was attacked my parents finally understood; this was serious abuse. Two boys grabbed me and held me down while a third jumped on me like a trampoline. Socially I was abandoned, physically I was abused, intellectually I was failing, emotionally I was shaken, and spiritually my self-esteem was broken. My parents talked to the school and I switched classes. But my grades continued to go down as the bullying just moved to recess. Relief finally came when my mom asked if I wanted to be homeschooled: I said yes. I have loved Homeschooling ever since. It was the best choice my mom, dad, and I made for my education.

If SB2323 passes it would allow a stranger to determine whether my parents are worthy enough to teach me. The Freedom my parents gave me to choose would be stolen. I would be angry if I was forced into a hot classroom with 20 other students. Worst, because I am 11, I would be separated from my friends: Nora (13), Lauren (14), Rebecca (10), Rowan (7), Summer (7), Ethan (10), Maggie (9). I wouldn't even get to learn with my own sister: Ariel (9).

I've learned more in 2 years of homeschooling than I did in 4 years of Public School. I have had a lot more time to learn at my own pace, more time to make good friends and more reasons to reach beyond grade level. Senators, I am happier, and my grades have improved!

Please vote NO on Senate Bill 2323. Don't put my fate in the hands of strangers.

Thank you.  
Aurora Wilson



## **Hawaii Senate Bill 2323**

Hello, my name is Creed De Leon and I am currently in my senior year of highschool; graduating this year. I have been homeschooled for my entire life along with my siblings and many other homeschooled youth here in Hawai'i.

Hawai'i Senate Bill 2323 was aimed toward the prevention of child abuse among homechooling families. Given the recent cases of abuse in the past few years it is something that we can't ignore. However, it is an act of discrimination against all homeschooling parents that they are all considered to be "abusing" their child. It is illogical and unfair to consider that all homeschoolers are being abused based off of a few cases of abuse in some homeschoolling families.

Parents have the right to choose what kind of education their child is recieving and to protect them from things which can be harmful. Their are several accounts of violence, drug use, sexual assualt, school shootings, and bomb threats all surrounding public schools. Still yet, SB 2323 questions the safety of homeschooled youth in their own homes rather than the safety of public school students who are provided a "safe enviroment" to learn by the state.

This bill steals rights which many parents have been using since the dawn of this country. Hawaii SB 2323 is a discriminate and should not be passed.

Mahalo, Creed





**SB-2323**

Submitted on: 2/14/2018 9:44:00 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Maximus McGrath     | Individual          | Oppose                    | No                        |

## Comments:

Five, five is the number of times I moved before my second grade school year. Receiving my education at home provides consistency with my education despite moving every 2-3 years for my dad's Army career. I am against the proposed bill SB2323. I am currently in 10th grade, this bill would delay my progress in obtaining private tutors, subject matters experts, and programs to support my home education. I am strongly against child abuse and neglect and fail to see how SB2323 would prevent child abuse and neglect. This bill would require that both my parents and I undergo a rigorous scrutinizing process and be approved before I can be homeschooled. If our family disagrees with the superintendents decision, our only way to appeal is petition in family court, where we would have to prove that homeschooling is appropriate for our family. This bill would deeply impact my education and I do not want to fall behind which would hinder my acceptance in the Merchant Marine Academy.

Sincerely, Maximus M

10th Grade Homeschool Student!

### **Against Hawai'i SB 2323**

Aloha, my name is Cana De Leon, and I am a homeschooled student in the eleventh grade. I have been homeschooled since the beginning of my academic journey, and I plan to stay homeschooled until I graduate high school.

Hawai'i SB 2323 is to attack child abuse. Assuming that all homeschooling families are being abused because of the rare cases that occurred is incoherent. It causes discrimination against homeschoolers. If you are trying to prevent and stop child abuse that's happening in homes, you are looking into the wrong group of people.

This Bill doesn't change the fact that there is child abuse happening in homes where they put their kids in traditional, private, or charter schools. It is far more likely for a child to be abused in those cases. My mother sees kids of all ages coming into the ER because of being abused. She sees pre-teens and teens come in because of self-abuse due to depression caused by the people surrounding them in schools.

There are countless cases of teachers taking advantage of adolescent teens. Despite the government knowing this, they take it lightly, and time and time again, more cases keep happening. Parents who decide to homeschool are trying to protect their children from that. They are making sure their kids are learning the right things in a safe environment. It seems students in public, private, and charter schools are more prone to drug use, underage drinking, depression and suicide rather than learning and maintaining the abilities they need to have in order to invest in their future.

This Bill takes away the parents' rights to decide how their children are to be educated, and it causes discrimination against homeschooling families. I plead that you reconsider, letting parents reserve their freedom to decide how they educate their children, by not passing Hawai'i SB 2323.

-Mahalo,

Cana De Leon

**SB-2323**

Submitted on: 2/13/2018 8:35:47 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Nichole      | Individual   | Oppose             | No                 |

Comments:

My name is Kaia McGerity. I am currently fifteen years old and a sophomore in my second year of homeschooling. My mom is my teacher and I could ask for nothing more. My mother being 34, birthed four children (including me) and has been a teacher for about 18 years. She plans to homeschool all four of us next year and is very capable of doing so. My mother is not in anyway, offensive, obloquios, nor abusive to us children. If this atrocious senate bill is passed then my mother will be a suspected child abuser until proven not.

I very much appreciate the concern for the abuse of children that are being homschooled, but not all homeschoolers are abused. According to thedailybeast.com about 70 victims out of somewhat 1.5 million kids in 2000 were reported for child abuse. That means 1 inabout 21,429 kids are abused, according to the information taken in 2000. For social workers that is a lot of homes to go to and gather informaton to confirm that a child is being abused.I do not know exactly how many social workers are in the state of Hawaii but I know that the number does ot come close to 1.5 million. Burdening Hawaii's social workers with this job would be deplorable.

In essence passing the senate bill 2323 would cause an enormous amount of innocent people to be suspects of child abuse, and the social workers of Hawaii will be burdened with the tasks they already have plus this task. Too much work will be handed to too few people.

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In essence passing the senate bill 2323 would cause an enormous amount of innocent people to be suspects of child abuse, and the social workers of Hawaii will be burdened with the tasks they already have plus this task. Too much work will be handed to too few people.

Today I am going to talk about why this law should not be approved. My name is Kaehukai McGerity, and I am 11 and my mom home schools me.

Here are 3 reasons why this bill should not be approved. The first flaw is parents will need to do lots of paper work to home school their children, and that will stop the learning process of the children. The second reason is the social workers will need to do a lot more jobs then they can handle. The third reason is the a lot of parents will need to go through an unnecessary process.

If you were a homeschool teacher and this bill passed, how would you feel? Think about how homeschool parents would feel.





**SB-2323**

Submitted on: 2/13/2018 9:52:41 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Lora Burbage        | Individual          | Oppose                    | Yes                       |

Comments:

Aloha,

I homeschooled my four children from 1987 - 2011 here in Hawaii. I continued to be involved with the homeschool community by teaching civics, economics and debate for a number of years after my children were grown.

I want to share just a bit of history about the homeschool movement in Hawaii.

In the summer of 1987, homeschoolers, proposed regulations concerning homeschooling, to the Board of Education. Superintendent Charles Toguchi had just become the head of the Board. For almost a year several couples, including my husband and myself, met with a committee to iron out our differences. It was a difficult time but the outcome was nothing less than miraculous! In the summer of 1988, we took the agreed upon proposed regulations to public hearings around the state and gained overwhelming support. This regulation has undergone very few changes over the years and has been highly successful in giving parents this viable option. Where homeschooling was once considered unique, we now find that it is becoming more common.

About 20 years later, I actually met the former Superintendent as he was walking the halls of this building. A large group of homeschool families happened to be in the auditorium learning about how the legislature works. What timing! I was thrilled to see him and to introduce him to the group. He mentioned all the good things and accomplishments he had heard about in the homeschool community.

Over the last 30 years, I have met hundreds of homeschool parents and have seen incredible sacrifice, dedication and hard work. Never in my mind did I think that parents who were willing to take on the huge responsibility of educating their own children would be looked upon with suspicion of abusing their own children.

The demographics in documented studies by our federal and state government on child abuse shows that the highest number of abused children fall into the range, birth to 3 yrs., then preschoolers. The family situations show drug abuse, single parent homes and families facing poverty as some of the highest potential for abuse.

In thinking about the underlying attitude toward parents in this bill, does it then stand to reason, that if I send my children to a public or private school, I would no longer be suspect, nor have to prove my innocence of being an abuser?

The fact remains that all school age children go home to parents or caregivers at the end of their day and are with them throughout the weekend. In all fairness, all parents should be suspect.

My heart goes out to the children who are being abused and yes, we need to strengthen agencies that can provide the help and the safety net these children need. This bill would be adding to the burden of CPS and would take away from the children who are truly in need. Precious resources would also be wasted.

Sincerely,

Lora Burbage

**SB-2323**

Submitted on: 2/14/2018 10:21:46 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Jennifer O.N. Goon  | Individual          | Oppose                    | No                        |

## Comments:

As a parent who in the past, has chosen to homeschool my son in Hawaii because it was the best way to care for their body, mind, and soul, I oppose SB 2323. If I decide to homeschool again, this bill would require that both my child and I undergo a rigorous vetting process and be approved before I can homeschool. If I disagree with the superintendent's decision, my only way to appeal is by filing a petition in family court, where I bear the burden of proving that homeschooling is appropriate for my child. Hawaii's current homeschool law strikes a healthy balance between respecting the constitutional right of parents to homeschool and having regular contact between parents and school officials through the filing of a notice of intent and an annual report on each child's progress. I understand we all want what is best for our children. If the law is updated so that the child is required to meet with school officials as part of the report on the child's progress - and to confirm no abuse or neglect - I would prefer that over having to obtain "approval" from the public school superintendent. It is a shame and very inconsiderate that the homeschool community was not even consulted before drafting this bill and I would strongly advise to seek their/our opinion and guidance on such matters that directly involve them/us in the future. Thank you.

**SB-2323**

Submitted on: 2/13/2018 3:12:28 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Arianna Dang        | Individual          | Oppose                    | Yes                       |

Comments:

My name is Arianna Dang and I was homeschooled in Hawaii for 13 years, from kindergarten until my high school graduation in 2016.

I would like to first express my gratitude that Hawaii's legislators care so deeply for the safety of Hawaii's keiki and are set upon preventing child abuse in our state. I agree that child abuse is a tragic and serious issue that must be addressed. However, I believe that SB 2323 is not the solution.

Since this measure mandates homeschool families to receive the approval of Child Protective Services prior to homeschooling, SB 2323 not only characterizes homeschool parents as "guilty until proven innocent," but also distracts CPS's attention away from critical child abuse cases.

By increasing the strain on an already overburdened CPS and reducing the limited attention and resources focused on previously identified child abuse cases, SB 2323 will leave Hawaii's Child Protective Services both overstretched and ineffective.

Please do not allow this measure to become law. I humbly ask that you oppose SB 2323's changes to Hawaii's homeschool law.

Thank you,

Arianna Dang

Michelle N. Kidani – Senate Committee on Education (EDU)

Edwin Naleieha, Jr.

2/14/18 Hearing, 2:55p HST

Regarding: Opposition to *Hawaii State Senate Bill 2323*, relating to education

Aloha,

My name is Edwin Naleieha. I am a Hawaii resident in Senate District 24 (Kailua/Kaneohe) and a recent homeschool graduate, and am writing to you most esteemed senators to testify against Senate Bill 2323.

First, let me establish my credibility on the matter. I have been homeschooled all my life, from preschool through high school, and have graduated *summa cum laude* in accordance with all of the Hawaii State DOE's high school graduation requirements. As such, I am very knowledgeable about the ins and outs of the homeschool education experience.

That being said, please allow me to state the reasons for my position. The first reason is Irrelevancy. As a current Hawaii resident, I understand that HI SB 2323 was first introduced by Senator Kaiali'i Kahele in order to prevent another incident in which a child died as a result of the state's decision to allow his parents to homeschool him despite their past records of child abuse and neglect. I understand that if enacted, this bill would mandate parents to obtain authorization to homeschool their child, which would involve a thorough background check and abuse inquiry. I understand the importance of background checks, but what I do not understand or approve of is a small handful of out-of-the-ordinary incidents inciting a political backlash that threatens to uproot the United States of America's very first system of education. When the European colonists and Pilgrims first arrived in the Americas, they schooled their children, and gave them an education that was as wholesome, uplifting, religiously devout, honest and innocent as humanly possible. As a homeschool graduate, I can attest that the education I received was just as wholesome, complete, and Christ-centered as that which the colonist's children received. Given all this information, the most logical conclusion is that the homeschool system is not to blame for Hawaii's homeschool abuse incidents. As such, I stand against HI SB 2323 on the basis of Irrelevancy.

My second reason for opposing HI SB 2323 is its Harms. Though created with good intentions, this Senate bill will create many problems for the homeschool community. Requiring background checks for homeschooling families will be costly and in many financial cases, completely out of the question. Most homeschooling families in Hawaii, including my own, live on a single income, constantly making financial sacrifices for the sake of giving their child a good education in a place where the cost of living is already high. If this bill were passed, it would create a substantial financial burden that we would not be able to bear. Additionally, these homeschool permits would involve a long, drawn out procedure with local school principals that would take away the most essential element of homeschooling: time. Every homeschooling parent needs a substantial amount of time to provide their child(ren) with the best education possible. That is why my parents decided to live on one income, so that my mother, God bless her dearly, could throw all her time and effort into homeschooling me and my two younger siblings. Take Time away, and you destroy the very foundation of homeschooling. This would be especially detrimental to parents of children with special needs. My parents are homeschooling my sister, who has Down syndrome (a common learning disorder), so that she can learn at her own pace in a safe, supporting environment. If this bill were passed, my family would lose any chance of protecting my sister and giving her a wholesome education at a pace which she can comprehend and retain. In light of all this, I hope you arrive at the sound conclusion that passing the Senate bill will significantly harm the homeschooling population rather than protect it.

In conclusion, I stand opposed to HI SB 2323 on the basis of Irrelevancy and Harms. The issue this bill addresses is not an issue within the homeschool system, and if passed, this bill would rob homeschooling parents of every opportunity to provide their children with a good education. Most esteemed members of the Senate, I beseech and implore you to consider each and every homeschooled student in the state of Hawaii, their circumstances and special needs, keep their best interests at heart, and reject this bill.

Thank you for your valuable time. God bless you all

- Edwin Naleieha, Jr.

**SB-2323**

Submitted on: 2/13/2018 2:59:54 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kari Dechenne       | Individual          | Oppose                    | Yes                       |

Comments:

**SB-2323**

Submitted on: 2/13/2018 7:39:12 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Candice Roberts     | Individual          | Oppose                    | Yes                       |

Comments:

I strongly oppose bill SB2323 and ask that you vote NO and not pass this bill.



**SB-2323**

Submitted on: 2/14/2018 1:46:06 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Alohi Aea           | Individual          | Oppose                    | Yes                       |

Comments:

**SB-2323**

Submitted on: 2/14/2018 6:31:22 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Gary Fitt    | Individual   | Oppose             | Yes                |

Comments:

I strongly oppose SB2323, the “blame the home schools” bill. To use the sad story of Peter Kema as an excuse to invade the privacy of a majority of law-abiding citizens is itself, inexcusable. Peter Kema died at the age of 5 or 6. Some children, especially boys, do not start school until the age of 6 and for good reason. The failure of CWS to act in the best interest of Peter has more to do with his premature death than whether (or not) he was enrolled as a home schooled child. SB2323 requires the **“complex area superintendent or the complex area superintendent's authorized representative to request child welfare services to conduct a child abuse and neglect history inquiry regarding the child intended to be home schooled...”** But if a child has a child abuse and neglect history on record, then the CWS has already entered into the family's home, has already opened a case on the child and family, and is already regularly monitoring the family. And as part of that child's case, is already informed of, and also monitoring, the child's schooling status. SB2323 lays an undue and unwarranted burden on the already-strapped time constraints of school district superintendents. It appears to be a means to either circumvent the constitutional right of privacy in order to enter the homes of people who are fed up with the state's unresolved problems with the public schools and want to home school their children, or at least, to intimidate people into not homeschooling at all. And it will probably result in more cost to the home school parent. Though SB2323 claims a correlation between home schooled children and abuse, it does not present any empirical evidence to back up these claims.

**SB-2323**

Submitted on: 2/13/2018 3:44:39 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Barbara Knox MD     | Individual          | Support                   | No                        |

## Comments:

I am a child abuse pediatrician in Madison, WI. I have also consulted on cases of abuse for law enforcement agencies in Hawaii. I have also partnered with Helo prosecutor Suzanna Tiapula on research regarding child torture as a form of child abuse. During this research, we were able to see a definite association between "homeschooling", which was really no schooling in these cases and an escalation of abuse to child torture. We sadly found that people would use this as a means to further isolate children from mandated reporters and increase physical and psychological abuse to the children. Though the vast majority of home schooling families do an outstanding job with truly educating their children, it can also serve as a means to further harm children, and therefore, I wholeheartedly support this legislation.

**SB-2323**

Submitted on: 2/13/2018 10:37:05 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Leslie J.           | Individual          | Comments                  | No                        |

Comments:

Testimony in opposition to SB2323; intent is supported but methodology needs amendments.

**SB-2323**

Submitted on: 2/13/2018 3:05:38 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kim Haine           | Individual          | Oppose                    | No                        |

Comments:

I OPPOSE this bill which is nothing more than a complete overreach. The government truly needs to take a step back and stay out of parental choices. I would instead focus your efforts on fixing the sad state of affairs and rankings of our public schools in Hawai'i. What happened in CA was tragic, but unfortunately abuse happens, even with kids enrolled in school. Becoming a police state is NOT the answer.

**SB-2323**

Submitted on: 2/13/2018 6:04:16 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b>   | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---|---------------------------|---------------------------|
| Desria Seay         | Testifying on behalf of Aloha Mocha Homeschooling Cooperative | Oppose                    | No                        |

## Comments:

I oppose the bill SB2323. It's a short-sighted and dangerous attempt at solving an issue that has not been proven to have any correlation with homeschooling. It is the responsibility of the parents to raise, nurture, educate and provide for their children. This bill infringes upon that right with no just cause. The problem at hand is child abuse. The target should be child abusers. Not HOMESCHOOLERS. Children are routinely abused and mistreated while being sent to public school yet we don't require those parents to SUBMIT to background investigations. Children are regularly and harmed IN public schools, yet public schools are not banned. I certainly empathize with the plight of abused children and believe that more should be done, but homeschoolers are not your enemy. Poverty is the culprit.

There has been proven a correlation between poverty and violence. Child abuse is violence. We should be attacking poverty. Creating Jobs, Increasing Food Stamps, lowering housing prices, ELIMINATING homelessness, giving access to free healthcare, etc. YOU have a million more issues that would actually create meaningful and real change. This is an obscene infringement on parents' freedom and unnecessary increase in government spending. I urge you to kill this bill in committee and refocus your attention on preventing child abuse from happening. Seek out studies from professionals in this area and tailor your legislation to what has been scientifically proven to reduce violence. Thank you for your time.

**SB-2323**

Submitted on: 2/13/2018 7:18:49 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b>                                | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|--|---------------------------|---------------------------|
| Laulani Teale       | Testifying on behalf of Ho'opae Pono Peace Project | Oppose                    | No                        |

Comments:

I strongly oppose this measure, on behalf of myself and Ho'opae Pono Peace Project. It is discriminatory, and would cause major problems due to a poor understanding of the issues involved.

Homeschooling is a complex matter that needs support, not further regulation. For the many children who need this option, as they would be culturally harmed by the interface between a "one-size-fits-all" school system and their unique spirits, this measure is extremely harmful.

Mahalo nui loa.

**SB-2323**

Submitted on: 2/13/2018 4:21:28 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Valerie Diaz        | Individual          | Oppose                    | No                        |

Comments:



**SB-2323**

Submitted on: 2/13/2018 10:35:53 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Vivian Wong         | Individual          | Oppose                    | No                        |

Comments:

**SB-2323**

Submitted on: 2/13/2018 11:05:59 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| Submitted By   | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| Rebecca Matter | Individual   | Oppose             | No                 |

Comments:

My name is Rebecca Matter. I graduated from Indiana University of Pennsylvania in 2002 with a Bachelor's degree in Elementary Education, specializing in Urban Education. I currently hold state certifications in Virginia and Pennsylvania. We have recently relocated to Oahu, due to a military move.

I am writing to strongly OPPOSE SB2323 and to ask that you vote NO!

This bill is a huge overreach of the government and violates our First Amendment Rights as American Citizens. The homeschooling community is a rich and diverse group that have made the decision to put their children FIRST. We receive no financial assistance from the government and no tax breaks are provided. We pay for our children's curriculum, extracurricular activities, coop groups, field trips, and specialized services. The data has proven that homeschooling children outperform their public-school counterparts. Colleges are actively recruiting Homeschooled students. What we are doing, is working!

1. bill however, states otherwise. Instead of a thriving, successful method of educating our children, it assumes that we are neglectful. The "evidence" used in the creation of this bill does not show that homeschooling is the problem, but rather failed Child Protective Services. Instead of creating more paper work and wasted funds, look at the programs already in place. The wording of this bill is FAR too broad. It is completely up to the interpretations of the reader and therefore legally this bill will face challenges.

Finally, there is no data to support any link between homeschooling and child abuse and neglect. The World Health Organization, The U.S. Commission to Eliminate Child Abuse and Neglect Fatalities, and the American Psychological Association do not list homeschooling as one of the risk factors for child abuse. And yet this bill, in targeting homeschoolers, would place additional burdens and cost on child welfare services.

Please vote NO to SB2323. Come alongside the Homeschooling community and let's generate a plan that will work and benefit the children of Hawaii.

**SB-2323**

Submitted on: 2/14/2018 11:06:18 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| arielle             | Individual          | Oppose                    | No                        |

Comments:

**SB-2323**

Submitted on: 2/14/2018 1:04:49 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Katty Arnow         | Individual          | Oppose                    | No                        |

Comments:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Fourth Amendment of the United States Constitution.

I oppose Hawaii Senate Bill SB2323 because it defers homeschooling approval to Child Welfare Services, the precise organization that failed to protect Peter Boy Kema and Shaelynn Lehano-Stone.

It is unlawful and unjust to presume all homeschool parents to be guilty of child abuse and neglect until we're proven innocent with a background check.

Child abuse is a problem and it is very prevalent in schools all over the nation, whether in the student's families or within students. It is a horrible reality and I am all for protecting children but It is outrageous to think kids are safer in schools and that that decision is up to someone else than the parent.

**SB-2323**

Submitted on: 2/14/2018 3:44:00 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Melissa Rayl        | Individual          | Oppose                    | No                        |

## Comments:

I am strongly opposed to the superintendent being in charge of my family's household. It is my right to choose how to educate my child. Government does not have the right to dictate how I choose to educate my children. Most parents are good parents. You can not make rules for everyone based on a few bad parents. There will always be those few that are evil, but everyone should not be punished for it. Most parents are homeschooling now because of issues with public school safety or because the public schools are not providing a good solid education. It is the right of the parents to choose, not the government.

**SB-2323**

Submitted on: 2/14/2018 4:09:15 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Bethany Woodward    | Individual          | Oppose                    | No                        |

Comments:

This will tax an already overworked department. And I think eventually more cases will fall through the cracks because there isn't enough time to investigate real cases of abuse

Chairs Kidani and Green and members of the Committees, thank you for taking time to read my testimony.

I did not home school my children; all of whom are public school alumni. In my professional career I have worked in both the child welfare and public education arenas.

I appreciate the intent of this bill to ensure all children and youth have a safe positive home and learning environment. However, I oppose this bill for the following reasons.

1. I personally find this bill an unacceptable infringement upon parental rights which may ultimately be unconstitutional. Many parents homeschool their children for religious reasons and requiring them to get "permission" to homeschool or prove homeschooling is "in the best interest of the child" will only set the State up for future unnecessary litigation because procedures are inadequate to ensure those tasked with granting approval do not do so based on ignorance or bias.
2. The Department of Human Services (DHS) is already overworked and underfunded placing additional home inspections or administrative work on DHS will further tax those workers and budgets struggling to ensure already identified children and youth at risk have safe and positive home environments. Lest we forget, tragically Peter Boy was already identified as a child at risk who dropped off the DHS radar.
3. Similarly, the Department of Education is underfunded and placing additional administrative tasks on Complex Area Superintendents (CAS) will only further detract from their efforts to provide the meaningful support necessary to ensure all public school students are adequately prepared to enter their post-secondary careers. Lest we forget the academic preparedness of students with disabilities, those in economically challenged families, and English Language Learners still significantly lags behind their non-high needs peers. Furthermore, the bill as written requires the CAS to wait on another underfunded State Agency in order to perform their responsibilities. This is not so dissimilar to the start of the Felix Consent Decree in the 1990s.

I humbly suggest this bill not be forwarded .

Robert Campbell



**SB-2323**

Submitted on: 2/14/2018 9:53:48 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Jason               | Individual          | Oppose                    | No                        |

Comments:

How many home school parents are abusing their children really?

This is just another way to control parents and make them feel like they can't take care of their children.

So much abuse happens in the public schools by teachers and other students.

We will fight this bill with everything we got.

NO NO NO

We Strongly Opose this bill.

**SB-2323**

Submitted on: 2/14/2018 11:55:04 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| James Burmester     | Individual          | Oppose                    | No                        |

Comments:

**SB-2323**

Submitted on: 2/14/2018 9:58:33 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b>  | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|----------------------|---------------------|---------------------------|---------------------------|
| Lana Ululani Robbins | Individual          | Oppose                    | No                        |

Comments:

**SB-2323**

Submitted on: 2/14/2018 10:14:07 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Mary P Hillier      | Individual          | Oppose                    | No                        |

Comments:

**SB-2323**

Submitted on: 2/14/2018 10:38:39 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Nitai Logan         | Individual          | Oppose                    | No                        |

Comments:

People should not be told by the government how to raise or educate their own children.

**SB-2323**

Submitted on: 2/14/2018 11:00:01 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Radha Butler        | Individual          | Oppose                    | No                        |

Comments:

Hi All.

I am testifying that homeschooling is an excellent benefit to connect the knowledge of a parent to their children. It is a supportive and education based household that encourages children to continue pursuing education way into their adult years. Homeschooling allows parents to take their childrens' education into their own hands and encourages personal responsibility. We should be encouraging our parents to be involved in their children's education and not discouraging it. By going into the privacy if a family's home we are violating free speech, right to education, and the boundaries of protection that a home offers to a family.

Sincerely,

Radha Butler

**SB-2323**

Submitted on: 2/14/2018 11:23:43 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Jennifer Prater     | Individual          | Oppose                    | No                        |

Comments:

Aloha, I am a registered voter in Hawai'i and I strongly oppose this Bill. What this Bill is proposing is nothing short of an attack on our constitutional rights.

**SB-2323**

Submitted on: 2/14/2018 11:47:54 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Murali Tumahai      | Individual          | Oppose                    | No                        |

Comments:

Until formal, conventional school structure/systems can meet the need of all children, creating more difficulties in the way of helping the outliers is a travesty, and shows no regard for actually HELPING them. There are already many systems in place to identify abuse and neglect; creating a system of invasion of privacy and the onus of guilty until proven innocent onto the people who care so much about the wellbeing of their child that they are willing to take on the burden of homeschooling is uncalled for, and should not be created. A parent should not have to be investigated by child welfare services for actually caring about their child.



**SB-2323**

Submitted on: 2/14/2018 11:59:25 AM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Sita Strickland     | Individual          | Oppose                    | No                        |

Comments:

This is unconstitutional and wrong.

**SB-2323**

Submitted on: 2/14/2018 12:43:23 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier<br/>Position</b> | <b>Present at<br/>Hearing</b> |
|---------------------|---------------------|-------------------------------|-------------------------------|
| Joe Kern            | Individual          | Oppose                        | No                            |

Comments:

**SB-2323**

Submitted on: 2/14/2018 12:38:25 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Tracy Thorstad      | Individual          | Oppose                    | No                        |

Comments:

**SB-2323**

Submitted on: 2/14/2018 1:15:50 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Ruth Leue           | Individual          | Oppose                    | No                        |

Comments:

**SB-2323**

Submitted on: 2/14/2018 1:37:44 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| lori                | Individual          | Oppose                    | No                        |

Comments:

**SB-2323**

Submitted on: 2/14/2018 2:11:16 PM

Testimony for EDU on 2/14/2018 2:55:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| pamela anderson     | Individual          | Oppose                    | No                        |

Comments:

Mahalo for accepting my testimony relating to sb2323, home school. I urge you to vote no on this bill. I am hopeful to be a future home school tutu for my grandson who is currently receiving home services for delayed expressive language. There are many rules and policies that home school adults must adhere to before taking the step to homeschool and many checks and balances in place. I take offense of having the gov attempt to 'manage' this area. The current CPS system is strapped and I do not see their input will be timely nor properly given the attention that is needed. God is in control and thru Godly parents, guardians the home school arena is served well. Please do not place one sad, unfortunate case like the Kema's place this hardship on the many homeschoolers that do work well, from years past and looking to the future. God is in control. Thank you for your time

aloha,

p.anderson

concerned Christian citizen, taxpayer, tutu, mother of 2

## EDU Testimony

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**From:** Jennifer Elle <mrslitz@gmail.com>  
**Sent:** Tuesday, February 13, 2018 11:51 PM  
**To:** EDU Testimony  
**Subject:** Sb2323

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." United States Constitution 4th Amendment

"Section 7. The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches, seizures and invasions of privacy shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized or the communications sought to be intercepted. [Am Const Con 1968 and election Nov 5, 1968; ren and am Const Con 1978 and election Nov 7, 1978]" Hawaii State Constitution

"Section 8. No citizen shall be disfranchised, or deprived of any of the rights or privileges secured to other citizens, unless by the law of the land. [Ren Const Con 1978 and election Nov 7, 1978]" Hawaii State Constitution

I OPPOSE SB2323 based on the above mentioned pieces of both the United States Constitution and the Hawaii State Constitution. I am constantly concerned by child abuse, however, myself and my fellow homeschool families should not be unfairly criminalized. This piece of legislation directly infringes on our rights given to us both in the United States Constitution as well as the Constitution for the State of Hawaii.

Protecting our keiki is the main concern here, and I can't think of a group more focused on this than homeschool families. Our families are involved in outreach programs, various youth sports, clubs and organizations.

Above all, I beg of this committee to again reflect on both the United States Constitution as well as the Hawaii State Constitution and realize that targeting a certain population is unconstitutional.

My name is Jennifer Litz. My kids have been homeschooled all of their lives. My husband is in the military and we've moved over 10 times in nearly 14 years. "Traditional" school doesn't work in that circumstance. Introducing this has actually been a blessing for us. We've spent many hours studying state and federal government. They are excited to attend your hearing and see government in action. Albeit, they are concerned over the ramifications of your decision, but they appreciate this chance to sit front and center and watch government in action. Please don't let them down. Let our homeschool families continue to enjoy the same freedoms as any other citizen living in our wonderful state.

Thank you for your time and consideration..

Jennifer Litz

Nahe Askew

2/12/2018

Hi my name is Kaleonahenahe Carnation Askew. I am 10 years old. I am in 5th grade and I live in Mililani Mauka.

I oppose SB2323.

My mom and dad made the decision to homeschool me and they should be allowed to decide that on their own.

I started school at Mililani Ike Elementary in <sup>Kindergarten and</sup> 1st grade and have been homeschooled since 2nd grade. Because I am homeschooled I get to do a ton of homeschooling stuff like learning science, history, geography, math, latin and grammar with my school Classical Conversations. I take music classes learning to play the drums and piano. I have taken many tennis and art classes. I volunteer in my community at FTH where I help pass out food to hungry families. I also volunteer at Malama Na Honu to protect endangered hawaiian green sea turtles, educate visitors and clean up trash from our beaches.

When I grow up I want to be a photographer and an artist.

This concludes my presentation.

Thank you.



Makana Askew

2/12/18

Hi my name is Makananui Brandon Askew. I am almost 13 years old. I am in 7th grade and I live in Mililani Mauka.

I oppose SB2323.

My mom and dad made the decision to homeschool me and they should be allowed to decide that that on their own.

I started school at Kipapa Elementary in Mililani, and our family moved to Mililani Mauka so I could go to Mililani Ike Elementary, one of the best schools on the island. After a couple years at Ike my parents decided to homeschool me because I was not doing so well. In fact, I was almost 1 year behind. In class I wouldn't understand and asked for more explanations, but learning still didn't make sense to me. The school wanted to help me learn by putting me in special ed classes and also suggested putting me on ADHD medicine. This made my mom cry; she knew I was better than what I was being labeled. My parents believed that I just learned differently and they did not agree with the schools solution to educating me. I started homeschool in 4th grade to help me focus by learning in different ways. Now I really like learning! In Science I just completed my first science fair about aerodynamics. I loved doing my science project because I got to experiment with Hot Wheels cars and present my work to my peers and judges. I am learning Latin. Latin is the language of law and government, and learning it helps me understand English grammar. I'm also in pre-algebra. My parents gave me a chance to learn differently and now I am no longer behind in school, but I am actually 6 months ahead!

When I graduate from high school I plan to attend MIT to study engineering and create robots. I want to become as successful as other homeschoolers like Congresswoman Tulsi Gabbard and

Inventor Thomas Edison. Did you know that Elon Musk, the creator of Tesla and SpaceX, is a homeschool parent? There is a lot of good that comes from homeschooling. Please consider this when making your decision.

This concludes my presentation.

Thank You.

Dear Honorable Senators & Representatives:

1) This bill would violate the our constitutional rights as expressed in the 4th amendment. unreasonable searches, without probable cause.

I would like to personally ask each of you senators this question: Would you subject your children and grand children to private questioning and searches by the CPS or DHS? Would you?

2) This Bill SB2323 is a knee jerk reaction to a few cases of abuse by families that have been labeled as homeschooling families. At best to say these were home schooling families is disingenuous. It is the same as saying that today's democrat party is the pro-life party. Those abusive families simply withheld their children for school and used legitimate homeschooling as a cover. They were not a true homeschooling family, they were people with warped intentions.

This bill would not have stopped sinister people from harming their own children. Let me cite to you a few insights from LA times writer  
By NAOMI SCHAEFER RILEY from her article on FEB 06, 2018 | 4:05 AM  
entitled "**Why child abuse like the Turpin family horrors is so hard to prevent or halt**"

"Hard cases make bad law. That may be the disturbing but difficult-to- avoid lesson from the stomach-turning abuse suffered by the 13 children of David and Louise Turpin for at least a decade."

"The Turpins, who are set to return to court Feb. 23, are an extreme example. It's not only the number of children they allegedly mistreated or even the length of time for which the abuse went on. It's also the fact that — so far as authorities can figure and despite what seems like a thorough search by the media — no one appears to have reported the Turpins to the police or child services. This fact alone makes the Turpin family unlike almost every other case of extreme neglect or abuse that has been uncovered in the last few decades. And it's why any attempt to pass new legislation based on this tragedy will be at best ineffective at preventing similar situations and at worst unnecessarily infringe on the freedom of millions of decent families."

"Political leaders responded to each crime with policy changes of one sort or another. In some instances, they hired more caseworkers or increased penalties for child abuse. They publicized hotlines to call when someone suspected abuse. Something had gone wrong *inside* our child welfare bureaucracy — between the moment a report of abuse was made and the time a caseworker decided not to remove a child from his or her home. The changes had limited, if any, effect on the overall success of the systems."

"Unfortunately, this tendency isn't something that state or local governments can easily fix. Indeed, despite the horrors of the Turpin case, it's not clear that we'd want them to try. We are already living in a country where more than a third of children under 18 years old come into contact with child services. Some of these are no doubt instances of

real neglect and abuse but others involve kids who have been left in the car while their parent runs into the dry cleaner. Do we really want to encourage people to report on their neighbor's parenting practices more than they already do?

The Supreme Court has said that parents have the right to raise children without unwarranted government intervention. As Gelles notes, we have created "a legal moat around the house, which very few of us would want to give up." The Turpins are the terrible but extremely rare price we pay for this liberty. It's hard to imagine what kind of state intervention would have prevented or halted the abuse."

3) What is your job? To represent the people. As a resident of Hawaii, a business owner, a pastor of a church in Mililani, I have been discouraged that our elected officials are not representing our wishes and values, our civil liberties. Your job is to represent the people of this room, the people who have spoken asking you to revoke this bill which violates the civil liberties of law abiding citizens. Please hear those today and represent them and keep the diversity of homeschooling alive and well to the Hawaiian people.

Respectfully,

A handwritten signature in cursive script that reads "Sharon L. Ameen". The signature is written in dark ink and is positioned to the right of a small, illegible mark.

David & Sharon Ameen  
Mililani, HI 96789

808-971-1360

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