

STAND. COM. REP. NO. **445**-20

Honolulu, Hawaii

FEB 13 , 2020

RE: H.B. No. 2752
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Lower & Higher Education and Labor & Public Employment, to which was referred H.B. No. 2752 entitled:

"A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION,"

beg leave to report as follows:

The purpose of this measure is to add a representative to the Board of Education by inviting the exclusive representative for bargaining unit (5) to appoint a nonvoting public school teacher representative to the Board.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association, Democratic Party of Hawaii Education Caucus, LGBT Caucus of the Democratic Party of Hawaii, and one individual. Your Committees received testimony in opposition to this measure from the Department of Education. Your Committees received comments on this measure from the Hawaii State Ethics Commission.

Your Committees find that the Board of Education presently consists of nine voting members, none of whom is required to be a public school teacher. This measure will add a public school teacher as a nonvoting representative to the Board to provide insight into existing and proposed educational practices and policies and the effects of those practices and policies on teachers, students, and the community.

HB2752 HD1 HSCR LHE-LAB HMS 2020-0875



Your Committees note the concerns raised by the Hawaii State Ethics Commission regarding the nonvoting public school teacher representative being allowed to participate in Board discussions on teachers' salaries and benefits generally. Although the teacher representative is directly and specifically affected by these discussions, the Commission noted that the representative would likely be recused in these situations. Your Committees further believe that general discussions regarding teachers' salaries and benefits are directly tied to the representative's own salary and benefits, and may raise conflict of interest issues.

Your Committees have amended this measure by changing its effective date to July 1, 2050.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2752, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2752, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Lower & Higher
Education and Labor & Public
Employment,



AARON LING JOHANSON, Chair



JUSTIN H. WOODSON, Chair



