

STAND. COM. REP. NO. 950 -22

Honolulu, Hawaii

MAR 04 , 2022

RE: H.B. No. 2125
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2125, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OFFICIAL SCHOOL BUSINESS,"

begs leave to report as follows:

The purpose of this measure is to provide increased protection for educational workers to conduct school business by establishing the misdemeanor offense of harassment of an educational worker for disrupting or interfering with the administration or functions of any school, school administration office, or school board.

Your Committee received testimony in support of this measure from the Department of Education; Principal in Residence for the Department of Education's Leadership Institute; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Autism Foundation, K.E.L.I.I. Foundation, and numerous individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the number of threats of violence and acts of intimidation occurring in schools and to educational employees warrant safeguards to protect the health and safety of the school environment, school administration, and educational

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leaders. Your Committee also finds that safe schools are fundamental to creating and fostering an optimal learning and working environment. School safety is linked to improved student performance and school outcomes. This measure recognizes the necessity of safeguarding educational workers to enable optimal delivery of educational services to students and families and maintaining a safe learning and working environment.

Your Committee has amended this measure by:

- (1) Requiring the Department of Education to:
 - (A) Report all substantial incidents of harassment to the proper law enforcement authority;
 - (B) Implement procedures for handling harassment of its employees, including employees excluded from collective bargaining;
 - (C) Assign employees within the department to handle harassment claims; and
 - (D) Assist its employees with any legal actions that may arise from harassment;
- (2) Requiring the Department of Education and Board of Education to implement trainings for its staff on how to use de-escalation techniques and handle harassment from outside actors;
- (3) Amending the offense of harassment of an educational worker to require that the person commits the offense with intent to impede the government operations of an educational worker, rather than with the intent to harass, annoy, or alarm an educational worker; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2125, H.D. 1, as amended herein, and recommends that it



pass Third Reading in the form attached hereto as H.B. No. 2125,
H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

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Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 2125, HD1	Committee Referral: EDN, JHA	Date: 2-25-22		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)		✓		
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.			✓	
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.				✓
9. TAKUMI, Roy M.	✓			
10. TOKIOKA, James Kunane		✓		
11. WARD, Gene			✓	
TOTAL (11)	6	2	2	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				