

STAND. COM. REP. NO.

2354

Honolulu, Hawaii

FEB 16 2022

RE: S.B. No. 214
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Education and Higher Education, to which was referred S.B. No. 214 entitled:

"A BILL FOR AN ACT RELATING TO STUDENT JOURNALISM,"

beg leave to report as follows:

The purpose and intent of this measure is to establish freedom of press protections for student journalists producing school-sponsored media or university-sponsored media, subject to certain exceptions.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association, Student Press Law Center, Hawaii Publishers Association, All Hawaii News, Big Island Press Club, and eleven individuals. Your Committees received comments on this measure from the Department of Education, Department of the Attorney General, and Office of Information Practices.

Your Committees find that journalism is a critical component of a well-functioning democracy. Your Committees also find that promoting student journalism in public schools prepares the next generation of journalists for the challenge of seeking and sharing truth, and exposing falsehoods, in an era of misinformation.

Your Committees further find that states may enhance the protections guaranteed by the First Amendment of the United States



Constitution through state laws and regulations. Your Committees believe that student journalists attending Hawaii public schools and colleges need additional protection against censorship, and that their advisors need additional protections against retaliation for refusing to illegally censor student journalists.

Accordingly, your Committees find that this measure will protect and promote the constitutional rights of student journalists and their advisor by codifying and clarifying the same.

Your Committees have amended this measure by:

- (1) Clarifying that the invasion of privacy that is excepted from the protections afforded by this measure is a clearly unwarranted invasion of personal privacy;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Education and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 214, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 214, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Higher Education,



DONNA MERCADO KIM, Chair



MICHELLE N. KIDANI, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Higher Education
HRE

Bill / Resolution No.:* SB 214	Committee Referral: EDU/HRE, JDC	Date: 2/11/22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	✓			
KIDANI, Michelle N. (VC)	✓			
KEITH-AGARAN, Gilbert S.C.				✓
WAKAI, Glenn				✓
FEVELLA, Kurt	✓			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes