



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

Date: 02/03/2022

Time: 02:00 PM

Location: 309 Via Videoconference

Committee: House Education

Department: Education

Person Testifying: Keith T. Hayashi, Interim Superintendent of Education

Title of Bill: HB 2125 RELATING TO OFFICIAL SCHOOL BUSINESS.

Purpose of Bill: Creates a misdemeanor for disrupting or interfering with the administration or functions of any school, school administration office, or school board.

Department's Position:

The Hawaii State Department of Education (Department) is in full support of HB 2125. This is an administration bill requested by the Department and is necessary to address the growing problem of continuous and threatening harassment of educational workers by parents and members of the public. The polarization of society and overt disrespect for our government institutions that are fostered by social media have emboldened certain persons to harass and intimidate school officials with demeaning swear words and threats to their personal safety as well as job security when they have issues with the school.

The existing laws do not address educational workers who have become victimized by irrational and uncompromising parents and individuals whose goal is to taunt, harass, and intimidate school officials so that they give in to their unreasonable demands through coercion or by intentional delay tactics. Some of the tactics used are constant badgering, name-calling, and harassing of school officials with persistent telephone calls, flooding the answering machines to capacity so that legitimate messages from parents or other individuals cannot be received, rejecting mail and email notifications and thereby thwarting the school's ability to perform tasks mandated by federal and state laws. The unruly behavior disrupts the school environment, causes fear and anxiety in school officials, and undermines the school's ability to conduct its business, fulfill its responsibilities, and meet required timelines.

This bill is not intended to apply to rational disagreements between parents and schools

but is intended to apply to those individuals who cross the line of civility and thwart school operations by harassing threat, intimidation and coercion.

The Department appreciates the Legislature's support in ensuring the safety and well-being of its employees and students.

Thank you for the opportunity to provide testimony in support on this measure.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-First Legislature, State of Hawaii
House of Representatives
Committee on Education

Testimony by
Hawaii Government Employees Association

February 3, 2022

H.B. 2125 — RELATING TO OFFICIAL SCHOOL BUSINESS

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the intent of H.B. 2125, which creates a misdemeanor for disrupting or interfering with the administration or functions of any school, school administration office, or school board.

In a memorandum issued by Attorney General Merrick Garland in October 2021, he wrote, "Threats against public servants are not only illegal, they run counter to our nation's core values. Those who dedicate their time and energy to ensuring that our children receive a proper education in a safe environment deserve to be able to do their work without fear for their safety." The Attorney General issued his memo in response to the increase in harassment, intimidation, and threats of violence against school employees nationwide. Our schools in Hawaii are not immune to these problems.

Every school year, we are informed by our members of threats made directly at them or witnessed by them in the course of their employment and within the scope of their duties and responsibilities. These threats occur in school offices, at meetings, over the phone, via email, and more recently, through social media posts and comments. We strongly support any efforts to increase protection for our educational workers.

Thank you for the opportunity to testify in support of H.B. 2125.

Respectfully submitted,

Randy Perreira
Executive Director

HB-2125

Submitted on: 2/2/2022 8:54:33 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Bob Davis	DOE	Support	No

Comments:

I strongly support this Bill to help protect our school officials.

HB-2125

Submitted on: 2/2/2022 8:56:13 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Rochelle Mahoe	Individual	Support	No

Comments:

This is a necessary bill to protect our school administrators and educators, who are harassed/threatened, sometimes rather extremely, by the public with no recourse. The existing laws do not address educational workers who have become victimized by irate and uncompromising parents and individuals whose goal is to harass, and intimidate school officials into giving into their sometimes, unreasonable demands. This would help protect our employees who are operating within their scope of their professional duties. We appreciate your support.

HB-2125

Submitted on: 2/2/2022 9:01:33 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
John Erickson	Hawaii DOE	Support	No

Comments:

To protect our faculty and staff members I strongly support HB 2125. Thank you.

HB-2125

Submitted on: 2/2/2022 9:01:48 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sean Tajima	Individual	Support	No

Comments:

I strongly support HB2125. Thank you for your consideration.

HB-2125

Submitted on: 2/2/2022 9:03:33 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
keith hui	Individual	Support	No

Comments:

Thank you for advocating for the protection of our educational workers. As Complex Area Superintendent of Pearl City Waipahu Schools, I am in support of this bill for an act. Mahalo.

Keith Hui

HB-2125

Submitted on: 2/2/2022 9:20:16 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Daniel Larkin	HDO Kalihi Waena Elementary	Support	No

Comments:

I support this bill 100%, unequivocally, to protect our schools.

HB-2125

Submitted on: 2/2/2022 9:26:03 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Tricia Tamayose Okamura	Individual	Support	No

Comments:

I strongly support this bill.

HB-2125

Submitted on: 2/2/2022 9:28:12 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Albert Hetrick	Individual	Support	No

Comments:

I strongly support this bill.

HB-2125

Submitted on: 2/2/2022 9:30:11 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kyle Shimabukuro	Individual	Support	No

Comments:

I stand in support of HB2125. In my job as a school administrator at an elementary school, I deal with angry and belligerent people about once per month. In most cases, even though they are upset, they just want to be heard. Active listening and empathy on my part helps to de-escalate many situations. But there are still 1 or 2 incidents per year where the person is unreasonably aggressive and does not back down.

The pandemic has made these types of situations even worse. Last week, I called a parent to notify them that their child was identified as a close contact and would need to quarantine for 5 days because the child was not fully vaccinated. The parent argued with me and said that I was discriminating against their child. They argued that I should not treat unvaccinated children different from vaccinated children. They said that it's just like "ukus" - and that I should not keep her child out of school just because they were a close contact.

In cases like these, I would feel safer with a law in place to protect me from harassment and verbal or physical attacks.

Respectfully,

Kyle Shimabukuro

HB-2125

Submitted on: 2/2/2022 9:41:07 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Patrick Wetzel	DOE	Support	No

Comments:

To Whom It May Concern,

I support HB 2125. I have been threatened in the past and have witnessed my friends/colleagues threatened; I believe this bill is necessary. As employees, we have the right to work in a safe and supportive environment. The DOE Code of Conduct is the set of rules we have to abide by to ensure this right comes to fruition. Unfortunately, the DOE Code of Conduct does not apply to parents and visitors. HB 2125 would provide that layer to support my colleagues. Thank you for thinking of us.

Sincerely,

Patrick Wetzel

Hickam Principal

HB-2125

Submitted on: 2/2/2022 9:55:43 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Dr. Arnold Laanui	Individual	Oppose	No

Comments:

Aloha,

Thank you for an opportunity to provide comment on your bill. While I strongly support and endorse protection for all educators, I do have concerns with this bill and the possibility of overreach and misinterpretation.

First, to “harass, annoy or alarm” an educational work is a very broad category of actions which ranges from provoking violence to implicating peevishness. When I lecture in a classroom, I’m annoyed at the riding mower that disrupts my classroom. When a parent yells at a coach or referee from the stands for a bad play, he/she may annoy that person (and perhaps “alarm” others around them.) When teachers protest a school policy, they may disrupt school functions. Given the possible interpretations of this bill, these ordinary (and Constitutionally protected) actions may be criminalized. I’m confident that’s not the intention of this bill, but its overly broad scope and lack of definitions does open the door to misinterpretation and overreach.

Second, your bill provides protection for Department of Education employees. What about educators in Hawaii’s private schools? Approximately 20% of Hawaii’s school children attend a private institution and their educators, administrators and employees are afforded no protection under this statute.

Remedy: I do like the idea of harassment of an education worker being elevated to a misdemeanor. I recommend that rather than drafting this bill, which is subject to misinterpretation and offers protection to only 80% of the profession, you merely seek to amend Hawaii’s harassment statute (HRS 711-1106). By amending a statute already in HRS, you have a higher likelihood of offering protection to a broader range of individuals. Actions in this statute are clearly defined and you can achieve your means by merely updating the statute to include a simple line, “Harassment of any educational worker, to include teachers, administrators, board members, counselors, staff and volunteers, shall be a misdemeanor.”

With warm regards,

Arnold Laanui, JD, EdD

HB-2125

Submitted on: 2/2/2022 10:04:50 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Glen Miyasato	Fern Elementary School	Support	No

Comments:

Mahalo for this opportunity to support HB2125. As school administrators we are charged with the responsibility to educate and care for the safety and wellbeing of our students. In order to do this our school personnel need to be protected by law from harassment and intimidation that would hinder us from this mission.

HB-2125

Submitted on: 2/2/2022 10:28:33 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jeffrey Shitaoka	Individual	Support	No

Comments:

Aloha,

I am writing in support of HB2125 to advocate for protecting school administrators and educators who are sometimes threatened and harassed by members of the public with no recourse.

Thank you for your consideration.

Kind regards,

Jeffrey Shitaoka

HB-2125

Submitted on: 2/2/2022 10:36:13 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Wayne Guevara	HiDOE-Moanalua Middle School	Support	No

Comments:

I strongly support this bill.

HB-2125

Submitted on: 2/2/2022 10:36:16 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Corey Allen	The Hawaii Department of Education	Support	No

Comments:

As a current educational officer in the DOE, I greatly support this bill.

HB-2125

Submitted on: 2/2/2022 11:02:56 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Laura Ahn	Niu Valley Middle School	Support	No

Comments:

I support Bill #2125. I have witnessed and heard first hand from my colleagues how they have been victims of threats on themselves and their families and untrue accusations that stifle the ability to do our jobs. We need to be protected as we were hired to protect our staff and students.

HB-2125

Submitted on: 2/2/2022 11:05:41 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sarene Oda	Individual	Support	No

Comments:

I support this bill. Educators, administrators, and school staff come to work every day to provide a safe and nurturing environment for the children and anyone who steps onto our campuses. No one deserved to be harassed and/or to be treated unreasonbaly. I personally know of other individuals as well have experienced first hand this kind of treatment. In my experience, I was expecte to be the "professional" and just take this kind of treatment. It is not fair and it is hurtful. We have to remember that we are all human beings with feelings

HB-2125

Submitted on: 2/2/2022 11:43:23 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Derek Santos	Individual	Support	No

Comments:

Please support HB2125, school administrators, teachers and staff should not be threatened or harrassed while we are trying to do our jobs.

HB-2125

Submitted on: 2/2/2022 12:44:27 PM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Chris Nerona	Department of Education	Support	No

Comments:

Thank you for advocating for the protection of our educational workers. As an employee of the DOE as a district resource teacher I have witnessed first hand how the harrassment of an educational worker can impact students and the welfare of teachers. The harrassment issue I was aware of resulted in the teacher's departure from the DOE due to a lack of support and protection at both the school and state levels so, I thank you for your advocacy to the protection of my colleagues and other educational workers.

HB-2125

Submitted on: 2/2/2022 1:13:53 PM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Janette Snelling	Hawaii Department of Education	Support	No

Comments:

I am in support of HB2125. In daily operations, administrators and support personnel in the Hawaii Department of Education are charged with making decisions that uphold regulations and serve in the best interest of all students. While engaged in carrying out the departments essential educational functions, it is inevitable that our decisions may be met with disagreement. To disagree is a personal right, but we need a clear message, that it is not acceptable to voice disagreement inappropriately. Administrators and their support personnel shoulder the burden of making tough decisions everyday; they need to be protected from harrassment and threats.

engaged in carrying out a 2 department of education function. 3 (2) Harassment of an educational worker i

HB-2125

Submitted on: 2/2/2022 1:26:37 PM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Katina Soares	Individual	Oppose	No

Comments:

Mahalo for taking the time to review my testimony regarding HB2125. Previously, assault to an educational worker was a felony offense. I believe it should remain as such. Educational workers are in an environment with increasing risk every year from school shootings, to assault through TikTok challenges, to COVID-19 response. The classification of an offense speaks to the seriousness of an offense. A misdemeanor says to the public that it is no big deal to cause physical harm to an educational worker who is at a school to serve the public, educate students and above all else keep them safe. Please do not downgrade this offense to a misdemeanor.

Respectfully,

Katina Soares, Principal of Molokai High School

HB-2125

Submitted on: 2/2/2022 2:31:01 PM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Susan Pcola_Davis	Individual	Oppose	Yes

Comments:

Oppose: I do not believe the department has the authority to enforce this nor assign the offender a misdemeanor charge.

Security personnel are hired for this exact purpose.

If the school doesn't have enough security guards, hire more. The schools were given ESSER funds to use for this exact purpose.

I really doubt the schools wants to charge a parent, student, another teacher, etc with a misdemeanor even if they could.

When this was presented in November at the Board of Education, the Board asked, why do you need this legislation? How many occurrences have there been? The response was one?? The example used was a disruptive public member of the Student Community Council (SSC) who actually quit soon after.

DOE is not law enforcement.

Creates a misdemeanor for disrupting or interfering with the administration or functions of any school, school administration office, or school board.

HB-2125

Submitted on: 2/3/2022 7:30:06 AM

Testimony for EDN on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Alisa Bender	Individual	Support	No

Comments:

I support HB 2125.