

OFFICE OF INFORMATION PRACTICES

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To: Senate Committee on Education

From: Cheryl Kakazu Park, Director

Date: January 31, 2022, 3:00 p.m.
State Capitol, Conference Room 229 and via Videoconference

Re: Testimony on S.B. No. 2334
Relating to the Board of Education

Thank you for the opportunity to submit testimony on this bill, which would require the Board of Education (BOE) to hold no less than six community forums annually, with at least one forum in each county; to include an open forum for public comments on non-agenda items at BOE meetings; and to report on the open forum to the legislature. The Office of Information Practices (OIP) offers comments.

In addition to increasing the number of community forums to be held annually, this bill would amend an existing provision making exceptions to the Sunshine Law for the BOE's community forums by (1) limiting the number of BOE members in attendance to less than a quorum, and (2) fixing several technical issues with the existing language by making BOE members' attendance a permitted interaction under the Sunshine Law rather than a meeting exempted from various Sunshine Law requirements. The permitted interaction would cover attendance at a community forum by BOE members so long as the BOE posts notice of the date, time, and place of each forum, the forums are open to the public and allow members of the public to offer their views on matters within the BOE's authority, no

commitment to vote is made or sought at the forum, and the members' attendance at the form is reported at the next BOE meeting.

The proposed permitted interaction provides clear standards for how BOE members can hold community forums consistent with the Sunshine Law, and it does not present the potential conflicts with or confusion over the Sunshine Law's requirements that the existing language does. Thus, while OIP takes no position on the issue of whether the BOE should be required to hold community forums or how frequently, OIP believes the proposed amendment creating a permitted interaction for holding a community forum is an improvement over the existing language.

Thank you for considering OIP's testimony.



SENATE COMMITTEE ON EDUCATION
Monday, January 31, 2022, 3 pm, State Capitol Room 229 & Videoconference
SB 2021

Relating to Increasing the Board of Education

TESTIMONY

Douglas Meller, Legislative Committee, League of Women Voters of Hawaii

Chair Kidani and Committee Members:

The League of Women Voters of Hawaii supports SB2334. We support an opportunity for public input at ad hoc community forums and at the end of BOE meetings.

Thank you for the opportunity to submit testimony.