



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

**Date:** 02/07/2022

**Time:** 03:20 PM

**Location:** CR 229 + videoconference

**Committee:** Senate Education

**Department:** Education

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

**Title of Bill:** SB 3093 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 SB 3093. 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.

**SB-3093**

Submitted on: 2/6/2022 3:09:58 PM

Testimony for EDU on 2/7/2022 3:20:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Alec Marentic	Testifying for Hawai'i Association of School Psychologists (HASP)	Oppose	No

Comments:

The Hawai'i Association of School Psychologists strongly opposes SB3093. Zero tolerance and/or strict disciplinarian policies have not been proven effective by research. Additionally, where similar policies are in place, black and indigenous students of color are disproportionately subjected to them.

HASP recommends instead examining the implementation of evidence-based positive behavior interventions and supports, and crisis prevention and intervention (such as the PREPARE curriculum offered by the National Association of School Psychologists), and schoolwide restorative and community engagement practices.

Mahalo for this opportunity to testify.



**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  
The Senate  
Committee on Education

**LATE**

Testimony by  
Hawaii Government Employees Association

February 7, 2022

S.B. 3093 — RELATING TO OFFICIAL SCHOOL BUSINESS

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the intent of S.B. 3093, 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 S.B. 3093.

Respectfully submitted,

Randy Perreira  
Executive Director

**LATE**

**SB-3093**

Submitted on: 2/7/2022 3:47:44 PM

Testimony for EDU on 2/7/2022 3:20:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Susan Pcola_Davis	Individual	Oppose	No

Comments:

HB2125 was presented last week and I opposed that bill. During the testimony, a question was asked about this pertaining to Anit-Vax protesters, of which, Interim Superintendent replied, "I don't know about that but our teachers and principals are being threatened.

Oppose: Recently in the newspaper, an article about a Principal receiving threats and fearing for her self and family was posted. Now I am not aware of any other events like this. I do agree that this is a bad situation. But I do not agree that this bill will make the situation any better. If this bill gets passed, by that time, this event will have been resolved. I cannot believe the DOE would wait until a bill is passed.

Anything that happens off campus is an HPD matter not DOE.

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.

Also if the bill is passed, can the public be apprised of how many misdemeanor charges were there and who was charged, i.e. student, parent, other adult.

Most bills that are passed have sufficient data to stand on that shows the bill is necessary. I'm not sure the DOE is being transparent.

DOE is not law enforcement.

Susan A. Pcola-Davis