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GOVERNOR



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SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
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Date: 02/16/2023

Time: 02:00 PM

Location: 309 VIA VIDEOCONFERENCE

Committee: House Education

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB 1043 RELATING TO THE DEPARTMENT OF EDUCATION.

Purpose of Bill: Repeals the Department of Education's weekly report on schools that have reported positive COVID-19 cases.

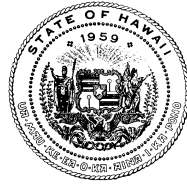
Department's Position:

The Hawaii State Department of Education (Department) supports HB 1043 which would repeal the Department's weekly reporting requirements as mandated by Act 4, Special Session Laws of Hawaii 2021.

Given the widespread availability of COVID-19 vaccines, high levels of infection-induced immunity, increased access to testing, effective treatments, and an adapted approach to prevention and mitigation in alignment with the Hawaii State Department of Health COVID-19 Guidance for K-12 Schools, the weekly COVID-19 reporting requirement is an administrative burden on schools that is yielding minimal benefits.

The Department has a long history of collaboration with the Hawaii State Department of Health on reporting and responding to potential outbreaks of infectious disease at schools and is committed to continuing this collaboration to ensure public health and safety.

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



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**Testimony in SUPPORT of HB1043
RELATING TO THE DEPARTMENT OF EDUCATION**

REPRESENTATIVE JUSTIN H. WOODSON, CHAIR
COMMITTEE ON EDUCATION

Hearing Date: 2/16/2023

Room Number: Conference Room 309 &
Videoconference

1 **Department Testimony:** Thank you for the opportunity to provide testimony in SUPPORT of
2 House Bill 1043 that repeals the Department of Education (DOE) requirement to report weekly
3 coronavirus disease 2019 (COVID-19) case counts.

4 The Department of Health has worked closely with DOE during and preceding the COVID-19
5 pandemic on reporting of and response to potential outbreaks of infectious disease at schools. As
6 the course and impacts of the COVID-19 pandemic have evolved, public health response no
7 longer relies on reporting of each individual case, such that weekly reporting of COVID-19 cases
8 in schools is no longer required to manage public health impacts of COVID-19 in schools. The
9 focus of response efforts has shifted to improving vaccination coverage for COVID-19 and other
10 vaccine preventable diseases; ensuring coordinated response to clusters of COVID-19, influenza-
11 like illness, and other disease syndromes; and sharing of evidence-based guidance for mitigation
12 of the impacts of COVID-19 and other infectious conditions in school settings. DOH is
13 committed to continuing our close collaboration with DOE to ensure public health and safety.

14 Thank you for the opportunity to testify.

15

HB-1043

Submitted on: 2/14/2023 5:45:28 PM

Testimony for EDN on 2/16/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael EKM Olderr	Individual	Oppose	Written Testimony Only

Comments:

Covid is not over, the most vulnerable of our citizens and our keiki are still susceptible. We cannot be sure that if the next variant of covid will come back to bite us. Plus a school could be a ground zero for a super spreader event, if we are not careful enough. Though Covid is not a big as a danger it was during the height of the pandemic, its still something we should keep a close eye on. Especially with how easily it spreads and especially as we learn more and more about the negative effects of post covid. Even if the effects of covid itself is mild. post-covid has been shown to be anything but. That is why I believe that we should continue to be diligent about covid awareness and how keeping our keiki safe from it. For that reason I strongly oppose this bill.

HB-1043

Submitted on: 2/15/2023 12:22:15 PM

Testimony for EDN on 2/16/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynn Otaguro	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Woodson, Vice Chair Marten, and members of the Education Committee:

I am writing in opposition to HB 1043, which will rescind the requirement that the Department of Education (DOE) report COVID-19 cases by school on a weekly basis.

As the State rolled back its COVID-19 protocols, people were told to keep informed and to take measures to keep themselves safe. Yet, information has become less accessible and it can be difficult to gauge the risk of infection. Department of Health (DOH) reports became fewer, and based on interviews from the DOH, the case counts reported cannot truly be relied upon to give an accurate level of infection in the community because of the non-reporting of at-home tests.

Because of the law, the DOE did publish COVID-19 cases by school on a weekly basis, and parents and community members have been able to check if a school has had COVID-19 cases. This has allowed families to find the information easily, and depending on the status of their school, it has allowed them to feel more at ease, to know that they should check if what they think is a cold is actually COVID-19, or to make sure that their child is taking steps to be safer. This is consistent with the purpose of the law to provide transparency and give families and community members information so that they can make better, informed decisions to keep themselves safe, which also makes the larger community safer.

There is a push to say that COVID-19 has ended, and we will likely see an end to emergency measures and support. In some ways, this points to a greater, not lesser, need for public access to information, as protective measures and support are withdrawn and people are left to fend for themselves to an even greater degree.

The harmful effects of COVID, past and present, continue. We can still watch the news and see Hawaii hospitals raise concerns about staffing. Long COVID, which can arise from mild cases, continues to harm those inflicted. Absences in school and work affect education and businesses. And there will likely continue to be infection surges with the presence of more transmissible variants of COVID that develop and spread globally.

While no one wants to unnecessarily burden the DOE, the website and means for meeting the reporting requirement already are in place. Rather than withdraw the access to information prematurely, it makes sense to ensure that parents and communities are receiving the information they need. When I asked a parent for his opinion about the change in the reporting requirement,

he said that he is concerned about being told when there is a case in his child's class. While section 1 of HB1043 talks about notification of COVID cases, his experience had been that access to information has been uneven.

Before withdrawing the reporting requirement, access to needed information should be ensured. Until this is done, please vote against this bill to keep information available.

Thank you for your consideration.

HB1043 Repeal COVID reporting for DOE

Strongly oppose based on these numbers taken from the DOE website. This is where families track COVID cases in schools where their child attend.

This school year began on August 3, 2022 – February 14, 2023

Total number of COVID cases to date is 6,308 students and staff.

Top 10 Cumulative and they are all high schools. Coincidence?

Waipahu HS 170

Mililani HS 150

Kapolei HS. 149

Kalani HS. 130

Roosevelt HS 127

Campbell HS. 119

Kaiser HS. 111

Moanalua HS. 107

The total represents 3.14%.

As the DOE website states:

The Department's case count should not be used to determine community spread or sources of an outbreak or cluster. It is informal data based on information provided to HIDOE's COVID-19 Core Response Team by individuals, parents, campus visitors and service providers. The Hawaii State Department of Health (DOH) remains the lead agency on reporting official data and case counts.

PRIVACY CONCERNS SHOULD NOT BE CONSIDERED due to DOE's safe handling of information by;

Public disclosure is done in accordance with federal and state laws protecting student and staff privacy and medical information. Policy considerations are in place to protect the identity of individuals including protecting minors from being physically ostracized or psychologically harmed by being identified and minimizing disruptions at schools. Schools promptly notify affected individuals directly — staff, families and/or service providers — about positive (or in some cases potentially positive) cases as appropriate.

Statements in the bill without any supporting evidence.

1. However, it is a fine balance between reporting of COVID-19 cases and an individual's right to privacy, especially when it comes to publicly sharing case information involving children. **[No grounds]**
2. The frequency of disclosure by the department regarding COVID10 case information could affect the department's ability to protect individuals from being identified, harassed, and socially discriminated against. **[No grounds]**
3. Further, public schools are facing difficulty with minimizing classroom disruptions due to the increased level of inquiries beyond the immediate school community. **[My thoughts: levels of inquiries are addressed by administration rather than classroom teachers]**
4. Couple with the prevalence of home testing, it has become increasingly difficult to accurately report on the number of COVID-19 cases at schools. **[My thoughts: the accuracy has always been**

a challenge and also subjective due to differences in the application of the guidance.]

DO NOT REPEAL!