

STAND. COM. REP. NO.

34

-24

Honolulu, Hawaii

FEB 05 , 2024

RE: H.B. No. 2043
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 2043 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to establish a harm to students registry for all preschools and K-12 educational institutions within the State that contains information on school employees, contractors, or volunteers for whom, as result of an investigation, a final finding has been issued that the individual has inflicted harm on a student.

Your Committee received testimony in support of this measure from the Department of Education; State Public Charter School Commission; Hawaii Association of Independent Schools; Hawaii Council of Private Schools; Kamehameha Schools; CARES; and four individuals. Your Committee received testimony in support of the intent of this measure from the Department of Human Resources Development and Executive Office on Early Learning. Your Committee received comments on this measure from the Department of the Attorney General and Department of Human Services.

Your Committee finds that increasing the ability of public and private preschools and K-12 educational institutions to communicate and provide vital information to consider in rendering

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employment and volunteer decisions for individuals who may have inflicted harm to a student is critically important to maintaining safe and healthy learning environments for the State's students.

Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it deliberate on this measure, to consider the testimony of the Department of the Attorney General and the proposed amendments suggested by the Department.

Your Committee has amended this measure by:


- (1) Clarifying that the Department of Education is not required to provide representation for an accused party that does not belong to a bargaining unit and who is not entitled to representation pursuant to a collective bargaining agreement;
- (2) Providing the Department of Human Resources Development with access to the harm to students registry;
- (3) Adding the Director of the Executive Office on Early Learning, or the Director's designee, to the temporary panel to determine removal of a person's name from the harm to students registry;
- (4) Inserting language that includes all public prekindergarten programs and schools under the Executive Office on Early Learning under the requirements of this measure;
- (5) Inserting language appropriating an unspecified amount of funds to establish one full-time equivalent (1.0 FTE) permanent position within the Department of Education to manage the harm to students registry and carry out any other requirements of this measure;
- (6) Changing the effective date to July 1, 3000; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your



Committee is in accord with the intent and purpose of H.B. No. 2043, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2043, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Education,



JUSTIN H. WOODSON, Chair



Record of Votes of the Committee on Education

| Bill/Resolution No.: HB2043 | Committee Referral: EDN, JHA, FIN | Date: 1/30/24 | | |
|--|---|-------------------------|------|----------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| EDN Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. WOODSON, Justin H. (C) | / | | | |
| 2. LA CHICA, Trish (VC) | / | | | |
| 3. KAPELA, Jeanne | / | | | |
| 4. MARTEN, Lisa | / | | | |
| 5. MARTINEZ, Rose | / | | | |
| 6. MATAYOSHI, Scot Z. | | | | X |
| 7. MIZUNO, May Besario | / | | | |
| 8. PERRUSO, Amy A. | / | | | |
| 9. QUINLAN, Sean | | | | X |
| 10. TODD, Chris | / | | | |
| 11. GARCIA, Diamond | / | | | |
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| TOTAL (11) | 9 | | | 2 |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. | | | | |
| Vice Chair's or designee's signature: <u>Trish La Chica</u> | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |