



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-SECOND LEGISLATURE, 2024**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 1651, RELATING TO THE SAFETY OF EDUCATIONAL WORKERS.

**BEFORE THE:**

HOUSE COMMITTEE ON EDUCATION

**DATE:** Tuesday, January 30, 2024      **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 309 and Videoconference

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Anne T. Horiuchi, Deputy Attorney General

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Chair Woodson and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments.

The bill requires the Department of Education (DOE) to take certain steps to report incidents of harassment and implement procedures for handling harassment of educational workers. The bill also creates the offense of "harassment of an educational worker."

The bill adds a new section to chapter 302A, Hawaii Revised Statutes (HRS), which provides in subsection (a) that "[e]ducational workers shall not be required to work under unsafe or hazardous conditions[" (page 2, lines 5-7) (emphasis added), and that such conditions "include but are not limited to harassment of an educational worker" (page 2, lines 9-10). The phrase "unsafe or hazardous conditions" is broad, and could have the unintended consequence of applying to situations not involving the harassment of educational workers. The Department suggests the following amendments to subsections (a) and (b) of the new section added to chapter 302A:

(a) [~~Educational workers~~] An educational worker shall not be required to work under [~~unsafe or hazardous~~] conditions or perform tasks [~~which imminently endangers the educational worker's health or safety.~~] when the educational worker is being subjected to harassment, as provided for in section 711- ."

(b) When any educational worker believes that ~~[an unsafe or hazardous condition exists for the worker, including situations involving]~~ the educational worker is being subjected to harassment~~[-, the immediate supervisor of the worker shall be informed immediately and]~~ as provided in section 711- , the educational worker may inform the worker's immediate supervisor, who shall take appropriate action using the procedures established pursuant to subsection (d)(3).

Subsection (d) of the new section added to chapter 302A refers to "substantial" incidents of harassment. (Page 3, lines 4 and 7; page 4, line 15.) Because the term "substantial" is not defined and may be difficult to apply, the Department suggests the following amendments to subsection (d)(1), (2), and (6):

- (1) Conduct a formal investigation of all ~~[substantial or repeated]~~ incidents of harassment submitted to the department by an educational worker~~[:]~~ pursuant to subsection (b);
- (2) Report ~~[all substantial incidents of harassment involving an educational worker]~~ to the proper law enforcement authority within forty-eight hours ~~[of the incident being report.]~~ all incidents of harassment submitted to the department by an educational worker pursuant to subsection (b), where the incident of harassment involves a potential threat of physical harm to the educational worker or another person.  
...
- (6) Assist educational workers with any legal actions that may arise from harassment, as provided in section 711- , including ~~[obtaining representation from the department of the attorney general and]~~ covering the costs incurred from serving temporary restraining orders related to ~~[substantial or repeated incidents of]~~ the harassment; (see below for the explanation regarding the suggested deletion of the wording ", including

obtaining representation from the department of the attorney general")

Subsection (d)(6), provides that the DOE will assist the educational worker "with any legal actions that may arise from harassment, including obtaining representation from the department of the attorney general[.]" (Page 4, lines 12-13.) The Department notes the following:

- The Department is permitted to defend a state employee against any civil action or proceeding brought against the employee for damage to property or for personal injury, resulting from the act or omission of the employee while acting within the scope of the employee's employment. See section 662-16(a), HRS. The Department is not authorized, however, to file affirmative claims on behalf of a State employee. For these reasons, the Department recommends striking "obtaining representation from the department of the attorney general and" from page 4, lines 12-14., as suggested above.
- Additionally, "assist[ing] educational workers with any legal actions that may arise from harassment" could be interpreted to require the DOE to pay for legal representation by private attorneys for the prosecution or defense of an educational worker in all types of legal actions that may arise from harassment, and which could include a tort lawsuit for damages. This would be a significant cost to the State.

In section 3 of the bill, the new section to be added to chapter 711, HRS, criminalizes the harassment of an educational worker, but does not require that there be a relationship between the harassment and the fact that the victim is an educational worker. We suggest amending the beginning of subsection (1) on page 5, lines 9-12, to state: "(1) A person commits the offense of harassment of an educational worker if, with intent to harass, annoy, or alarm an educational worker, because of the educational worker's position as an educational worker, that person:"

Thank you for the opportunity to provide comments on this bill.

JOSH GREEN, M.D.  
GOVERNOR



CATHY K. IKEDA  
CHAIRPERSON

STATE OF HAWAII  
STATE PUBLIC CHARTER SCHOOL COMMISSION  
(‘AHA KULA HO‘ĀMANA)

<http://CharterCommission.Hawaii.Gov>  
1164 Bishop Street, Suite 1100, Honolulu, Hawaii 96813  
Tel: (808) 586-3775 Fax: (808) 586-3776

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FOR: HB 1651 Relating to the Safety of Educational Workers  
DATE: January 30, 2024  
TIME: 2:00 P.M.  
COMMITTEE: Committee on Education  
ROOM: Conference Room 309 & Videoconference  
FROM: PJ Foehr, Interim Executive Director  
State Public Charter School Commission

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Chair Woodson, Vice Chair La Chica, and members of the Committee:

The State Public Charter School Commission (“Commission”) appreciates the opportunity to offer **SUPPORT with suggested amendments on HB 1651** which provides increased protection for educational workers by: (1) Requiring the department of education to take certain steps to better address harassment of educational workers; and (2) Establishing the offense of harassment of an educational worker.

The Commission respectfully requests that the Committee consider amending this measure by including similar language into Chapter 302D (the governing charter school law section of the Hawaii Revised Statutes) as provided on pages 2 through 5 of this measure but changing references to “the department” to “a public charter school.”

The Commission is available to work with this committee, the DOE, and our public charter schools in moving this legislation forward.

Thank you for the opportunity to provide this testimony.

JOSH GREEN, M.D.  
GOVERNOR



KEITH T. HAYASHI  
SUPERINTENDENT

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
KA 'OIHANA HO'ONA'AUAO  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 01/30/2024  
**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 1651 RELATING TO THE SAFETY OF EDUCATIONAL WORKERS.

**Purpose of Bill:** Requires the Department of Education to take certain steps to report incidents of harassment and implement procedures for handling harassment of educational workers. Creates the offense of harassment of an educational worker.

**Department's Position:**

The Hawaii State Department of Education (Department) provides comments on HB 1651.

The Department opposes Section 2 and supports Section 3 of this measure. Section 3 of this measure would provide greater protections for our employees. The Department appreciates the Legislature's efforts to improve the safety of the Department's employees by bolstering offenses and protections that exist in statute, but believes the Department's current processes meet the goals outlined in Section 2.

The Department finds the entirety of Section 2 difficult to enforce and redundant with existing Department processes and requests this section be removed.

Leaving the determination of when an unsafe or hazardous condition exists solely to the educational worker feeling that such a condition exists could potentially result in reports being made and requirements of this provision being triggered when the situation does not warrant it. Furthermore, without clear parameters or criteria, there is the potential for misuse or abuse of this provision.

Additionally, the Department possesses the ability to place employees on Department Directed Leave (DDL) or Leave Pending Investigation (LPI) should it be necessary to conduct investigations or other inquiries into a matter that may include harassment against an employee. Procedures for investigations apply to all Department employees and all employees are advised of these procedures via the annual Opening of School Year Packet (OSYP). Both the OSYP and the Department's Code of Conduct, which are posted on its internal website, establish the expectations for all employees about harassment along with the potential consequences for violations.

The Department supports Section 3 of the measure, which establishes a new section covering harassment of an educational worker. The Department believes this language provides increased protection for its employees.

Thank you for the opportunity to testify on HB 1651.

My name is Sean Witwer and I am a special education teacher from Farrington High School, and I support (and helped to write) HB1651.

At the end of the last school year, my family and I were harassed on social media and I was physically threatened through emails by a parent of one of my former students, for an incident related to enforcing the electronics use policy in my classroom.

For nearly six months, I attempted to secure a TRO unsuccessfully to protect myself from an irrational parent who didn't respect the boundaries of civility or my professional and private life. During this time, I navigated this legal process and interactions with law enforcement and the judicial system alone, as this situation was treated as a personal matter by the DOE.

HB1651 was written with the strengths and weaknesses of the former HB2125 in mind. It is a collaboration between myself and two women who also were the targets of harassment.

HB1651 represents the policies and procedures we wish were in place as we went through our ordeals and for that reason I ask you to support HB1651.

HB1651 is important because:

1. It protects an educational worker from being forced to work in an unsafe work environment.
2. Unlike the private sector, where organizations can deny service to individuals, the public school system cannot. Therefore, there must be enhanced protections in place for public educational workers.
3. The consequences for harassment of an educational worker needs to be credible. As it stands, harassment of an educator is a petty misdemeanor, the consequences of which are minor and not successfully deterring harassment within the DOE.
4. It takes into account the concerns of the community voiced last year, and defines harassment for educational workers along conventional lines as outlined in HRS 711-1106.
5. It does not seek to define harassment beyond the current accepted definition of harassment as outlined in HRS 711-1106, as HB2125 did last year. Meaning, it is not intended to target or punish parent communication with the school, and it respects a parent's right to advocate for their children.
6. It creates a framework and procedures for addressing harassment that not only protects the employee, but the employer.
7. It provides the necessary support for educational workers who seek legal protection, especially in cases where individuals are successfully evading law enforcement and the service of TROs.
8. It allows for the necessary leave to seek judicial protection, when necessary.
9. It notifies educational workers of the policies and procedures that are in place for their protection.

I'd like to personally thank Chairman Woodson for introducing HB1651 and the 27 members of the House who initially supported the introduction of this bill, as we all seek to create a safe working environment for educational workers.

Mahalo.

**HB-1651**

Submitted on: 1/28/2024 5:21:37 PM

Testimony for EDN on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lindsay Chambers	Individual	Support	Written Testimony Only

Comments:

In addressing the pressing issue of harassment against educational workers, we must confront the questions: How many warning signs and red flags must we overlook before enacting decisive change? Are we resigned to waiting until someone is gravely injured or worse, killed, before acknowledging the urgent need for action?

During my tenure at the Department of Education (DOE), I encountered an individual who had persistently harassed educational workers for more than a decade. This person had amassed numerous Temporary Restraining Orders (TROs) from DOE employees, leading to directives from the Board of Education and Superintendent offices to avoid transferring his calls to their phone lines due to safety concerns.

When this individual made threats of physical violence against someone on my team, the DOE instructed me to obtain a TRO to shield him and those under my supervision. However, this directive put a target on my back, with insufficient support leaving me exposed and vulnerable. I faced relentless harassment, incessant calls and voicemails filled with intimidation and racial slurs, leaving me deeply worried about my safety.

I was forced to personally obtain legal counsel to help me secure the TRO directed by the DOE. Throughout that entire time, I was told that the DOE and AG will not provide any support because they considered TROs to be “personal matters.” Despite obtaining an injunction against harassment, I found myself navigating this nightmare alone, as the system failed to provide the protection and assistance I needed.

My experience is not unique, mirroring the struggles of countless educators who face threats, abuse, and harassment simply for doing their jobs. This not only takes an emotional toll but also poses a profound threat to our well-being and community safety.

HB1651 isn't just legislation, it is a crucial lifeline for educational workers. Through its establishment of clear protections and support mechanisms, it delivers a resounding message: harassment will not be tolerated, and those molding the future of our children deserve to do so free from fear.

Authored by both current and former educational workers who themselves endured harassment through the course of their employment, this bill confronts the consequences of the DOE's inaction, allowing one individual's destructive behavior to persist unchecked for over a decade.



The state-level leadership of the DOE, spanning several administrations, has consistently demonstrated a reluctance or incapacity to actively institute measures to safeguard the well-being of its employees.

This legislation not only heightens the gravity of such negligence but also compels the DOE to systematically monitor instances of harassment and establish protocols to safeguard harassed individuals. HB1651 represents a significant leap forward by mandating the DOE to document these occurrences and assume responsibility for the treatment of its workforce.

Let's proactively act rather than waiting for tragedy to spur our actions. We can shift the narrative from regretful hindsight to proactive prevention, saving someone's loved one—a parent, spouse, friend or cherished educator.

I extend my sincere gratitude to Chairman Justin Woodson, his team, and the 27 House members who backed the introduction of HB1651. Your willingness to help amplify the voices of educational workers and provide them a platform to propose meaningful solutions is deeply appreciated.

**HB-1651**

Submitted on: 1/28/2024 10:13:53 PM

Testimony for EDN on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacob Wiencek	Hawaii Young Republicans	Support	Written Testimony Only

Comments:

Aloha Representatives,

On behalf of Hawaii Young Republicans, we support this bill. The past several years have been stressful enough, especially for our public education system. We welcome this attempt to protect educators by formalizing specific legal protections and providing proper procedures to handle incident reporting. We urge the committee to support.

**HB-1651**

Submitted on: 1/28/2024 10:46:57 PM

Testimony for EDN on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Taren Taguchi	Individual	Support	Written Testimony Only

Comments:

I support this bill to protect DOE employees from harassment.

I was an employee of the DOE for over 20 years. A parent of a student harassed me and threatened to get me fired. This parent called me and would talk for 90 minutes without letting me respond to the parent's accusations. Every other word was "fuck", "dumbshit", "whore", "asshole". This parent complained about many DOE staff. When we investigated, the parent's allegations were unfounded. The school office staff at several schools were victims of this parent's rants. Several staff quit. At least two staff were required to move to the mainland to avoid an assault.

The DOE Assistant Superintendent and the Attorney General, specifically said they would not help by sending this parent a letter to cease and desist nor could they represent us as employees to get a Temporary Restraining Order (TRO). The DOE leadership cut off the parent's phone from reaching my phone and this worsened the situation because the parent thought I was avoiding the parent.

I called the Domestic Violence hotline, but their charter did not allow them to help me because I did not have a relationship with this parent. I went to the police station to ask what would happen if I filed a harassment complaint against this parent. This parent did not know which building I worked in, nor did the parent know my home address or personal cell phone number. The police report required me to release my confidential information to inform the parent which addresses and phone numbers the parent should avoid. This seemed counterintuitive to protect me. So, I could not file a complaint with the police.

I asked for a safety plan from the DOE and asked if I could leave immediately if I saw the parent. The DOE refused to agree to any safety plan to keep me safe from this parent.

I lost sleep and needed counseling. I separated from the DOE to avoid more harassment and violence against me. The parent did not stop harassing me. The parent filed a complaint against me through the ombudsman, where no violations were found in my conduct. What was so upsetting was my own employer was not interested in protecting me or others harassed by this same parent. They seemed to encourage the front-line workers to continue to upset the parent by telling them that the DOE cannot do what the parent wanted. The DOE leadership refused to take this parent's calls, which infuriated the parent, and he would call the front-line employees, like me. Please protect all state workers from harassment or violence.



**HB-1651**

Submitted on: 1/29/2024 8:40:57 AM

Testimony for EDN on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kerry Momoahra	Individual	Support	Written Testimony Only

Comments:

To Whom It May Concern,

I am in support of this bill which will help to ensure the safety of education personnel. For far too long, we, educational staff have had to endure being at risk of physical, emotional, mental, psychological harm in the course of teaching Hawaii's keiki (children). Nowhere in my mind did I think that my safety could be at risk when dreaming of being an educator and I was ecstatic when that dream became a reality. The signs of today's times would definitely have influenced my decision to become an educator and it is a reality that I live with today. I want to continue living my dream and educate Hawaii's future. Please support this bill so that it may become law. This will send a clear message that we can all shape a brighter future in a safe way.

**HB-1651**

Submitted on: 1/29/2024 8:52:31 AM

Testimony for EDN on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Urvashee Pandya	Teacher at Farrington High School	Support	Written Testimony Only

Comments:

My name is Urvashee Pandya, I am a special education teacher at W. R. Farrington High School and I support this bill to stop harassment of school employees.

I have had many sleepless nights due to intimidation and harassment by students and parents in the workplace. The stress is intense during these times and continues beyond the classroom until the student graduates. This bill supports educational staff provides time for court proceedings and also obligates the Department of Education to do its due diligence when an education worker is being harassed.

Thank you

**HB-1651**

Submitted on: 1/29/2024 10:06:00 AM

Testimony for EDN on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marie Inouye	Individual	Support	Written Testimony Only

Comments:

I am a DOE employee and have been in many meetings and hearings with irate parents who continually harass and threaten DOE employees. These parents have also threatened to harm the DOE employee's family. These parents do so with no consequence to their actions and the DOE employees are continually subjected to these parent's endless phone calls (sometimes up to 10 a day) with harsh language and verbal threats. There is one parent who will subject anyone who even picks up the phone to his endless ranting, swearing and namecalling.

When employees try to file suit in recourse, there is no support for these individuals seeking protection for themselves or their families. These individuals would not be put into this situation if wasn't for trying to do their jobs, and the DOE isn't there to support them when their families are threatened by this individual.

I, fortunately, have not been the target of these parent's harassment and verbal abuse, however, I have witnessed it and I know many people who have been victim to it. From clerks answering the phone to District Educational Specialists having to defend the Department in pro se cases against these parents. I ask that this bill be passed to support Department, and State employees, who are victim to this everyday for doing their jobs.

Thank you.



**HAWAII GOVERNMENT EMPLOYEES ASSOCIATION**  
AFSCME Local 152, AFL-CIO

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

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

Testimony by  
Hawaii Government Employees Association

January 30, 2024

H.B. 1651 — RELATING TO THE SAFETY OF EDUCATIONAL WORKERS

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO fully supports H.B. 1651 which seeks to require the Department of Education to take certain steps to report incidents of harassment and implement procedures for handling harassment of educational workers and creates the offense of harassment of an educational worker.

Each school year, we are contacted by multiple members who work at public schools and who have experienced 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.

We strongly support any efforts to increase protection for our educational workers. They should feel assured that the Department is committed to taking prompt and effective action against harassing conduct and those who engage in harassing behavior should be held accountable.

Thank you for the opportunity to provide testimony in support of H.B. 1651.

Respectfully submitted,

Randy Perreira  
Executive Director



**HB-1651**

Submitted on: 1/29/2024 1:38:11 PM

Testimony for EDN on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Inger Stonehill	Individual	Support	In Person

Comments:

**My name is Inger Stonehill. I am addressing you today as an educator of nearly 20 years and a parent.**

**Alongside two colleagues and a House Representative Woodson we are contributors to the Bill HB 1651. Over the past two years, I have faced harassment, intimidation, and physical threats from a parent. That should not be accepted in ANY workplace. However, through this experience, I discovered that the Department of Education lacks neither a robust nor adequate system to assist education workers dealing with severe harassment. We aim for this bill to alleviate this problem for teachers, administrators, and other educational workers by implementing an accountable plan to address such issues.**

**I am here to submit my personal testimony for HB 1651. To begin, I firmly believe that parents have the right to voice concerns within the Department of Education. Nothing that we propose hinders that. There is an existing system for addressing issues with your child. However, in the last two years, I experienced extreme levels of harassment, intimidation, and physical threats from a parent. My physical and mental health suffered. In all my years of teaching, I had never encountered such horror. This should not be allowed, and there should be a system in place at the workplace. Most employers have mechanisms to assist employees facing harassment and threats. Through my experience with the Department of Education and this parent, I felt unprotected and unsafe. Voicing my concerns yielded no procedure or plans to help me; I felt abandoned and helpless. Seeking help, I consulted a therapist and psychiatrist due to severe panic attacks, fearing for my life. I had to work on my own to feel safe. Feeling scared, I obtained a temporary restraining order, writing it myself and going to the courtroom alone. The police were unsuccessful in serving the parent, and other measures also failed. Experiencing severe panic attacks, I realized I needed a safety plan for myself. I created one, but my panic attacks continued. I felt nobody was helping me, except for a colleague and another person who had also suffered at the hands of this parent and thus we are authors of this bill 1651.**

**Research revealed this parent had been harassing other educational workers for over a decade at our places of employment, and the Department of Education was unable to help its employees. This parent is aware that there are no measures in place to protect education workers. So not only is he not deterred, but by all appearances, he seems emboldened. Perhaps it was due to the lack of a solid strategy or method. This prompted us to work together to make a difference, show the Department of Education, and possibly inspire others to speak up and feel safe as educational workers.**

**The three of us, with the assistance of House Representative Justin Woodson, decided to craft a bill within the legislature. We considered the previous bill HB 2125 but found it too broad and unclear. This bill 1651 aims to be clear and specific on how to help educational workers facing severe harassment from a parent. In my almost 20 years as a teacher, if I ever complained to my administration about a student making me feel unsafe, it was dealt with swiftly. However, a parent who left over 23 threatening voicemails received no RESISTANCE. Moving forward, this proposed bill should help teachers understand what the Department of Education can offer. It outlines a plan of action instead of teachers struggling to figure out their next steps. It does not imply that parents shouldn't voice concerns. I, too, want the best for our students, but I can't do my best if I fear for my life and suffer mental anguish. Education is unique, granting everyone the right to attend school and providing free and appropriate public education. We cannot say students can't come to our school, and certainly, parents can voice concerns.**

**Educational workers have unions that are supposed to protect us, and our place of employment should protect us. I didn't feel enough was done to help us feel safe. Will it take someone to be hurt in order for us all to mobilize to stop this egregious harassment?**

**I urge you to consider the importance of this bill in creating a blueprint for educators to navigate harassment, ensuring a secure and conducive environment for all. Thank you for your attention to this critical matter.**

**HB-1651**

Submitted on: 1/29/2024 1:56:53 PM

Testimony for EDN on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sharon Martin	Individual	Oppose	Written Testimony Only

Comments:

Testimony in Opposition of HB 1651: Relating To The Safety of Educational Workers

Aloha,

I am Hawaii resident of Kaneohe. I am writing in opposition of HB 1651.

The offense of harassment (or any offenses) should be not be determined by the Department of Education. We all have access to the law abiding process; filing reports with law enforcement, and due process of law in a court of law. The Department of Education is not a judicial branch of government.

Mahalo,

Sharon Martin



Teaching Today for Hawaii's Tomorrow

**LATE**

1200 Ala Kapuna Street • Honolulu, Hawaii 96819  
Tel: (808) 833-2711 • Fax: (808) 839-7106 • Web: www.hsta.org

**Osa Tui, Jr.**  
President

**Logan Okita**  
Vice President

**Lisa Thompson**  
Secretary-Treasurer

**Ann Mahi**  
Executive Director

## TESTIMONY TO THE HAWAI'I HOUSE COMMITTEE ON EDUCATION

Item: **HB1651 - Relating to the Safety of Educational Workers**

Position: **Support**

Hearing: **January 30, 2024, 2:00 p.m., Conference Room 309**

Submitter: **Osa Tui, Jr. – President, Hawai'i State Teachers Association**

Chair Woodson, Vice Chair La Chica, and members of the committee,

The Hawai'i State Teachers Association **supports** HB1651 relating to the safety of educational workers. This bill requires the Department of Education to take certain steps to report incidents of harassment and implement procedures for handling harassment of educational workers. It also creates the offense of harassment of an educational worker.

Educators in the public schools of Hawai'i often are subject to harassment, especially in this age of social media. As it becomes increasingly difficult to find and retain quality employees in our public schools, more protections must be afforded to educational workers ultimately for the sake of our keiki.

The Hawai'i State Teachers Association asks your committee to **support** this bill.

**LATE**

**HB-1651**

Submitted on: 1/30/2024 7:11:42 AM

Testimony for EDN on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Angela Melody Young	CARES	Support	In Person

Comments:

CARES tesifies in support.



**Vanessa Ott**

P.O. Box 825, Na'alehu, HI 96772  
FreeSpeech4us.com

808 · 854 · 1018  
MsVOtt@gmail.com

January 29, 2024

**LATE**

**LATE**

To: State of Hawai'i House EDN Committee

Testimony re: **HB1651**

Educational workers; protection and workplace safety; harassment; reporting; training.

Aloha Esteemed Members of the State of Hawai'i House EDN Committee,

I **support the intent of HB1651**, but there are some **glaring omissions**, and Section 302A-\_\_(d)(5) creates a conflict with other areas proposals in this bill.

## **OMISSIONS**

### A. "Harassment" Too Narrowly Defined.

This bill only addresses "harassment" that is a reiteration of definitions for assault. Assault already is a misdemeanor, so if this is the only form of harassment addressed in this bill is assault, the bill is unnecessary.

What is truly needed is inclusion of protections for employees "harassed" by other employees. This is called **WORKPLACE BULLYING** which is a form of harassment that is rampant in the DOE. Emotional abuse. Unfair treatment. Attempts at constructive discharge. Retaliation. Employees are not safe from *these* forms of harassment, and this bill does not address workplace bullying *at all*. I am convinced that workplace bullying is a significantly expensive problem in the retention of good teachers and any useful law concerning harassment must address this type of harassment, too.

### B. Public Access to All DOE Policies, Procedures, Rules, and Training Materials.

I request that this bill begin to address the lack of transparency of all DOE policies, procedure, rules, and training materials. There is absolutely not reason that the public should not have ready access to these materials. A tradition of keeping these documents on an internal website inaccessible to the public is

outrageous and does nothing to build trust in our government agencies. Public Education and all it's workings should be open to the public.

Therefore, I strongly urge that this bill be amended as follows. Page 3, lines 11-20, Section 302A-\_\_(d)(3) should read:

(B) ~~The procedures~~ opening of the school year packet provided to all department employees annually shall be posted on the department's public website;

### **THE WORD "HANDLE" CREATES A CONFLICT IN 302A-\_\_(d)(5)**

The following is a suggested revision to current text of the bill on p. 4, lines 8-10:

302A-\_\_\_ Educational workers; protection and workplace safety; harassment; reporting; training.

(d) The department shall:

(5) Assign one full-time employee within the department to ~~handle and~~ document harassment claims submitted to the department and provide regular reports to the Board of Education of statistical data that identify areas in need of improvement;

Reasoning: The word "handle" implies that this employee is going to handle complaints. However, handling complaints is the responsibility of those conducting the investigation as stated elsewhere in this bill. What is needed is a statistician who is able to collate and analyze data to produce status reports can be used by the Board and the Department for the purpose of continual improvement in the DOE.

Mahalo for your consideration,

  
Vanessa Ott

**LATE**

**LATE**

**HB-1651**

Submitted on: 1/30/2024 12:25:04 PM

Testimony for EDN on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Hartwell lee loy	Farrington High School	Support	Written Testimony Only

Comments:

I'm in support of HB1651!!



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**LATE**

**HB-1651**

Submitted on: 1/30/2024 12:42:07 PM

Testimony for EDN on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Drew H.	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in support of HB1651. During my time as an employee of the HIDOE Communications team, I was aware of the repetitive verbal harassment towards HIDOE employees from a specific individual known to the Department. I saw the negative impact that this harassment had on the mental health of HIDOE employees. The apparent lack of a formal and effective process to file complaints led to further distress for staff.

Requiring a formal process through which to file these complaints will provide much needed support and relief for HIDOE employees to be able to have their concerns adequately addressed, which will in turn create better and safer learning environments for Hawaii's keiki.