



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

**Date:** 03/20/2024

**Time:** 03:00 PM

**Location:** CR 229 & Videoconference

**Committee:** Senate Education

Senate Transportation and Culture and the Arts

**Department:** Education

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

**Title of Bill:** HB 1837, HD1 RELATING TO SCHOOL SAFETY.

**Purpose of Bill:** Requires the Department of Education to grant public access to emergency action plans that do not pose a security risk to students, staff, or guests of school campuses. Requires each Department school to have a comprehensive school evacuation communication plan for use during emergencies. Requires the Department of Education to collaborate with the Department of Transportation to assess all Department school campuses to determine if there are sufficient emergency evacuation routes for each campus and report to the Legislature. Appropriates funds. Effective 7/1/3000. (HD1)

**Department's Position:**

The Hawaii State Department of Education (Department) respectfully provides comments on HB 1837, HD 1.

The Department is fully aware that emergencies and disasters can strike anywhere and at any time. Each Department school has a site-specific emergency action plan (EAP). Within each EAP contains procedures, protocols for managing various threats using the four phases of emergency management. Along with managing various threats, the EAP includes a communication section that provides communications guidance for school closures. The Department also has an emergency operation plan which contains procedures, and protocols to assist state-level emergencies and support districts and schools.

The Department has concerns about providing information regarding the emergency response plans. These plans include sensitive information about emergency procedures including, but not limited to, staff names, contact numbers, and emergency protocols. Should this measure move forward the Department requests the following amendment:

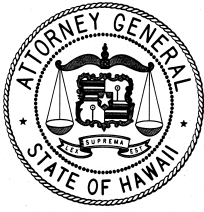
On page 3, lines 4 - 9, strike through specific language to read: "(a) The department shall create emergency action plans for each department school and allow for public access to the plans; provided that access to the emergency action plans does not pose a security risk to students, staff, or guests visiting a school campus."

Many of the comprehensive evacuation communications and community plan items listed in the bill already exist. However, Section 2, paragraph 4, page 3 mentions "Cultural awareness and responsiveness to translation needs of the community." Requiring language translation requirement is not achievable in a timely manner during immediate, life threatening situations like a fire, earthquake, tsunami or active shooter threat. External translation services will take time to coordinate for the 15-plus languages commonly used by families and are not available around-the-clock and daily. Based on the average translation costs provided by the Office of Language Access, the expected cost of translation services is \$450,000 per year.

During emergency events, the Department's Communication Branch personnel will participate as an emergency response team member to represent the Department at the Joint Information Center (JIC). The JIC provides the mechanism to organize, integrate, and coordinate information to ensure timely, accurate, accessible, and consistent messaging across multiple jurisdictions and/or disciplines. The school EAP includes a communication plan and evacuation plan.

The Department appreciates the addition of a blank appropriation amount to carry out the mandates of this measure but would request that amount be \$450,000 to carry out the mandated plans and subsequent translations.

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



**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. 1837, H.D. 1, RELATING TO SCHOOL SAFETY.

**BEFORE THE:**

SENATE COMMITTEES ON EDUCATION AND ON TRANSPORTATION AND  
CULTURE AND THE ARTS

**DATE:** Wednesday, March 20, 2024      **TIME:** 3:00 p.m.

**LOCATION:** State Capitol, Room 229 and Videoconference

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

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Chairs Kidani and Lee and Members of the Committees:

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

The bill requires the Department of Education (DOE) to grant public access to emergency action plans that do not pose a security risk to students, staff, or guests of school campuses; requires each DOE school to have a comprehensive school evacuation communication plan for use during emergencies; requires the DOE to collaborate with the Department of Transportation to assess all DOE school campuses to determine if there are sufficient emergency evacuation routes for each campus; requires a report to the Legislature; and appropriates funds.

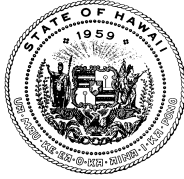
Section 2 of this bill proposes to add to chapter 302A, Hawaii Revised Statutes, two new sections, the second of which requires each DOE school to establish, implement, and provide notice of a comprehensive evacuation communication plan. To clarify that this section is not intended to create any new cause of action or basis for monetary liability against DOE or the State, the Department recommends adding the following subsection (e): "No action, including an action seeking damages, shall be brought against the department, a department official or employee, or the State relating to any actions or omissions under this section."

Additionally, the Department suggests revising subsection (d) of the second new section as follows:

(d) Schools shall collect and maintain up-to-date contact information for all students, parents, and guardians at the beginning of the school year and ~~[update the]~~ parents and guardians shall contact and provide schools with updated contact information throughout the school year as needed. Annual reminders to update contact information shall be sent to each student's parents or guardians.

(page 5, lines 12 through 16, deleted wording in the bill is bracketed and stricken; new wording is underscored).

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



**STATE OF HAWAII  
OFFICE OF LANGUAGE ACCESS**

1177 Alakea Street, Room B-100  
Honolulu, HI 96801-3378  
Phone: (808) 586-8730 / Fax: (808) 586-8733  
doh.ola@doh.hawaii.gov

**Testimony COMMENTING on HB1837 HD1  
RELATING TO SCHOOL SAFETY**

Senator Michelle N. Kidani, Chair  
Senator Donna Mercado Kim, Vice Chair  
Senate Committee on Education

Senator Chris Lee, Chair  
Senator Lorraine R. Inouye, Vice Chair  
Senate Committee on Transportation and Culture and The Arts

Hearing Date: 3/20/2024

Room Number: 229 & Videoconference

- 1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's
- 2 Executive Supplemental Budget Request.
- 3 **Agency's Position:** The Office of Language Access (OLA) appreciates the intent of this
- 4 measure, provided the measure's passage does not replace or adversely impact priorities in the
- 5 Governor's Executive Supplemental Budget Request. OLA defers to the Department of
- 6 Education on implementation and resource needs and offers the following comments.
- 7 **Purpose and Justification:** This measure requires the Department of Education to grant public
- 8 access to emergency action plans that do not pose a security risk to students, staff, or guests of
- 9 school campuses; requires each Department school to have a comprehensive school evacuation
- 10 communication plan for use during emergencies; and requires the Department of Education to
- 11 collaborate with the Department of Transportation to assess all Department school campuses to
- 12 determine if there are sufficient emergency evacuation routes for each campus and report to the
- 13 Legislature.
- 14 OLA appreciates the Legislature's continued commitment to ensuring language access in
- 15 government programs, services, and activities. This measure addresses an important component

1 of communication needs within our diverse community: it includes cultural awareness and  
2 responsiveness to language access needs within the comprehensive evacuation communication  
3 plan. This is significant, as it ensures the plan addresses the full spectrum of communication  
4 needs, which can vary among individuals and communities, including differences in literacy  
5 levels, preferred communication modes, and effective, respectful dissemination methods.

6 OLA would like to note that to fully address language access needs as intended in this measure,  
7 dedicated funding for language services, including both interpretation and translation, is  
8 necessary and should be considered within the budgeting process. An average one-page  
9 document, set in Times New Roman font size 12 with 1.5 spacing, contains approximately 350  
10 words. The current market rate for written translation services ranges from \$0.25 to \$0.50 per  
11 word, depending on the requested languages, which leads to an average translation cost of  
12 \$87.50 to \$175.00 per document. Additionally, the current hourly market rate for interpreters  
13 from local service providers in the state of Hawaii ranges between \$65.00 and \$85.00.

14 In addition to written translation and oral interpretation services, the plan should also consider  
15 utilizing other modes of communication, such as multilingual public service announcements  
16 (PSAs), ethnic radio stations, and multilingual video recordings, as alternative channels to  
17 communicate with Limited English Proficiency (LEP) survivors. Implementing these alternatives  
18 would require additional resources.

19 Thank you for the opportunity to comment on this measure.



**STATE OF HAWAII**  
**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
1010 RICHARDS STREET, Room 122  
HONOLULU, HAWAII 96813  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
March 20, 2024

The Honorable Senator Michelle N. Kidani, Chair  
Senate Committee on Education  
The Honorable Senator Chris Lee, Chair  
Senate Committee on Transportation and Culture and the Arts  
The Thirty-Second Legislature  
State Capitol  
State of Hawai'i  
Honolulu, Hawai'i 96813

Dear Senator Kidani, Senator Lee, and Committee Members:

SUBJECT: HB1837 HD1 RELATING TO SCHOOL SAFETY

The Hawaii State Council on Developmental Disabilities **SUPPORTS HB1837 HD1**, which requires the Department of Education to grant public access to emergency action plans that do not pose a security risk to students, staff, or guests of school campuses. Requires each Department school to have a comprehensive school evacuation communication plan for use during emergencies. Requires the Department of Education to collaborate with the Department of Transportation to assess all Department school campuses to determine if there are sufficient emergency evacuation routes for each campus and report to the Legislature.

The Council recognizes the importance of ensuring school safety and emergency preparedness. This measure demonstrates a commitment to enhancing the overall well-being of students, staff, and guests on school campuses. We specifically want to highlight the provisions on page 4, lines 14-19, which assure that the access and functional needs of individuals with disabilities are taken into consideration. Recognizing and addressing the unique requirements of individuals with disabilities in emergency action plans is a crucial aspect of inclusive and effective preparedness.

In the Council's support for this measure, we defer to the Disability and Communication Access Board (DCAB) for any substantive comments or amendments. DCAB's expertise in accessibility matters is invaluable in shaping comprehensive and effective legislation that accounts for the needs of individuals with disabilities.

Thank you for the opportunity to submit testimony in **support of HB1837 HD1**.

Sincerely,

Daintry Bartoldus  
Executive Administrator

**HB-1837-HD-1**

Submitted on: 3/18/2024 3:38:39 PM

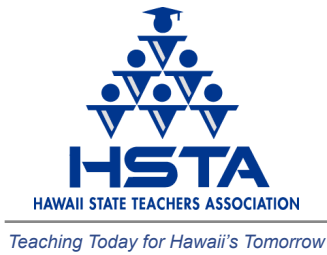
Testimony for EDU on 3/20/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
James Labrie	Individual	Support	In Person

Comments:

I strongly support this bill to have disability provisions so that if there is an emergency situation in the school system, people with and without disabilities would be able to know what to do in unforeseen circumstances that would arise. I particularly appreciate this measure being taken into consideration, especially page 4 lines 14-19, which ensure that there will be provisions for people with disabilities given that an emergency will arise in the school systems.





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 HAWAII SENATE COMMITTEE ON EDUCATION AND COMMITTEE ON TRANSPORTATION AND CULTURE AND THE ARTS**

Item: **HB1837 HD1 - Relating to school safety**  
Position: **Support**  
Hearing: **March 20, 2024, 3:00 p.m., Conference Room 229**  
Submitter: **Osa Tui, Jr. – President, Hawai'i State Teachers Association**

Chair Kidani, Chair Lee, Vice Chair Kim, Vice Chair Inouye, and members of the committees,

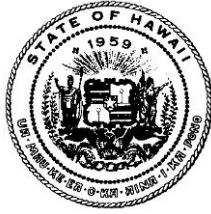
The Hawai'i State Teachers Association **supports** HB1837 HD1 which requires the Department of Education to grant public access to emergency action plans that do not pose a security risk to students, staff, or guests of school campuses, requires each Department school to have a comprehensive school evacuation communication plan for use during emergencies, and requires the Department of Education to collaborate with the Department of Transportation to assess all Department school campuses to determine if there are sufficient emergency evacuation routes for each campus and report to the Legislature.

During the COVID-19 pandemic, the Department of Education at one point said to the Board of Education that emergency plans would be shared and then later said they would not. This did not foster trust that HIDOE would know what they were doing in that situation. In light of the Maui wildfires, ensuring that easily accessible school emergency procedures to the broader community, including the communication plan, will help foster more trust from the community in preparation for times of crisis.

Law enforcement personnel should also be aware of and consulted on school emergency plans. For example, a recent chemical release near a school should have prompted lockdown procedures that were spelled out in the school's emergency procedures that faculty and staff were trained on. However, law enforcement (unaware of the school emergency plans) instituted a campus evacuation which only further increased possible chemical exposure by students and school staff and faculty.

Multiple evacuation routes are essential, especially if a fire or some other incident prohibits evacuating along what is usually a single practiced evacuation route. Being able to evacuate a campus in an orderly fashion in an emergency necessitates multiple options be practiced when possible.

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



## DISABILITY AND COMMUNICATION ACCESS BOARD

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1010 Richards Street, Room 118 • Honolulu, Hawaii 96813  
Ph. (808) 586-8121 (V) • TTY (808) 586-8162 • Fax (808) 586-8129

March 20, 2024

### TESTIMONY TO THE SENATE COMMITTEES ON EDUCATION AND ON TRANSPORTATION AND CULTURE AND THE ARTS

#### House Bill 1837 HD1 – Relating to School Safety

The Disability and Communication Access Board (DCAB) would like to offer comments on House Bill 1837 HD1 – Relating to School Safety.

This bill requires the Department of Education to grant public access to emergency action plans that do not pose a security risk to students, staff, or guests of school campuses. It additionally requires each Department school to have a comprehensive school evacuation communication plan for use during emergencies, and it requires the Department of Education to collaborate with the Department of Transportation to assess all Department school campuses to determine if there are sufficient emergency evacuation routes for each campus and report to the Legislature.

It is important that the assessment of evacuation routes consider the needs of students and faculty with disabilities. Likewise, the communication plan must include alternate methods of communication when appropriate.

Thank you for considering our comments.

Respectfully submitted,

KIRBY L. SHAW  
Executive Director



## TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAI'I

COMMITTEE REFERRAL: EDU/TCA

MARCH 20, 2024

HB 1837, HD1, RELATING TO SCHOOL SAFETY

POSITION: SUPPORT

The Democratic Party of Hawai'i **supports** HB 1837, HD1, relating to school safety. Pursuant to the “Education” section of the official Democratic Party of Hawai'i platform, the party believes, “Educational facilities must be maintained, renovated, and built to 21st century innovations so that our students learn in well-designed, safe environments.”

Last year, we witnessed the impact of the climate emergency on our shores. On August 8, 2023, wildfires swept across Maui and killed at least 100 people, making it one of the nation's deadliest natural disasters. The spread of the fires has been attributed to climate change conditions, such as unusually dry landscapes and the confluence of a strong high-pressure system to the north and Hurricane Dora to the south.

The wildfires destroyed over 2,200 structures, including numerous residential buildings, historic landmarks, and school facilities, including King Kamehameha III Elementary School. Though the fires did not occur while students were on campus, **the physical devastation and loss of life resulting from the wildfires reveals the urgency of ensuring that each of the state's public schools are prepared to manage future emergencies.** In September 2023, a report from the United States

Department of Commerce estimated the total economic damage of the wildfires to be roughly \$5.5 billion.

Accordingly, we must do all we can to prevent tragedies like this from occurring again on our shores, including by requiring schools to create and publicize emergency response plans for natural disasters. The Hawai'i Emergency Management Agency released an updated State Hazard Mitigation Plan last November, in which the state's wildfire risk level soared 74 percent to 6.6 from its previous level of 3.8 in the 2018 draft of the report.

The updated hazard mitigation plan contains statistics on how many people by county are at risk from wildfire hazards. For Honolulu, 427,293 people could potentially be affected by wildfires, which was listed as the highest risk with a risk factor of 5.7. Maui County also has wildfires as its highest emergency risk with a score of 5.8 and 81,424 people at risk. On Kaua'i, wildfires carry a 5.6 risk level and threaten 27,604 people. Hawai'i Island has a wildfire risk score of 4.6 and 32,080 people at risk.

Proactive planning is essential in implementing school safety protocols. Now, more than ever, we should invest in measures that protect our schools and our children from further emergencies.

Mahalo nui loa,

**Kris Coffield**

*Co-Chair, Legislative Committee*  
(808) 679-7454  
kriscoffield@gmail.com

**Abby Simmons**

*Co-Chair, Legislative Committee*  
(808) 352-6818  
abbyalana808@gmail.com



## **HOUSE BILL 1837, HD1, RELATING TO SCHOOL SAFETY**

MARCH 20, 2024 · EDU/TCA HEARING

**POSITION:** Support.

**RATIONALE:** The Democratic Party of Hawai'i Education Caucus **supports** HB 1837, HD1, relating to school safety, which requires the Department of Education to grant public access to emergency action plans that do not pose a security risk to students, staff, or guests of school campuses; requires each department school to have a comprehensive school evacuation communication plan for use during emergencies; and requires the Department of Education to collaborate with the Department of Transportation to assess all Department school campuses to determine if there are sufficient emergency evacuation routes for each campus.

Last year, we witnessed the impact of the climate emergency on our shores. On August 8, 2023, wildfires swept across Maui and killed at least 100 people, making it one of the nation's deadliest natural disasters. The spread of the fires has been attributed to climate change conditions, such as unusually dry landscapes and the confluence of a strong high-pressure system to the north and Hurricane Dora to the south.

The wildfires destroyed over 2,200 structures, including numerous residential buildings, historic landmarks, and school facilities, including King Kamehameha III Elementary School. Though the fires did not occur while students were on campus, **the physical devastation and loss of life resulting from the wildfires reveals the urgency of ensuring that each of the state's public**

**schools are prepared to manage future emergencies.** In September 2023, a report from the United States Department of Commerce estimated the total economic damage of the wildfires to be roughly \$5.5 billion.

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The updated hazard mitigation plan contains statistics on how many people by county are at risk from wildfire hazards. For Honolulu, 427,293 people could potentially be affected by wildfires, which was listed as the highest risk with a risk factor of 5.7. Maui County also has wildfires as its highest emergency risk with a score of 5.8 and 81,424 people at risk. On Kaua'i, wildfires carry a 5.6 risk level and threaten 27,604 people. Hawai'i Island has a wildfire risk score of 4.6 and 32,080 people at risk.

Proactive planning is essential in implementing school safety protocols. Now, more than ever, we should invest in measures that protect our schools and our children from further emergencies.

**Kris Coffield · Chairperson, DPH Education Caucus · (808) 679-7454 · [kriscoffield@gmail.com](mailto:kriscoffield@gmail.com)**



**S E A C**  
**Special Education Advisory Council**  
**1010 Richards Street Honolulu, HI 96813**  
**Phone: 586-8126 Fax: 586-8129**  
**email: spin@doh.hawaii.gov**

March 18, 2024

**Special Education  
Advisory Council**

Ms. Martha Guinan, *Chair*  
Ms. Susan Wood, *Vice Chair*

Ms. Sara Alimoot  
Ms. Kathie Awaya  
Ms. Virginia Beringer  
Ms. Mary Brogan  
Ms. Deborah Cheeseman  
Ms. Annette Cooper  
Ms. Shana Cruz  
Mr. Mark Disher  
Ms. Mai Hall  
Dr. Kurt Humphrey  
Ms. Melissa Johnson  
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Ms. Jennifer Leoiki-Drino  
Ms. Dale Matsuura  
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Dr. Paul Meng  
Ms. Kiele Pennington  
Mr. Christopher Pelayo  
Ms. Kau'i Rezentos  
Ms. Rosie Rowe  
Dr. Scott Shimabukuro  
Ms. Debora Uyeda  
Mr. Steven Vannatta  
Ms. Lisa Vegas  
Ms. Jasmine Williams

Ms. Helen Kaniho, *liaison to  
the Superintendent*  
Ms. Wendy Nakasone-Kalani,  
*liaison to the military  
community*

Amanda Kaahanui, Staff  
Susan Rocco, Staff

Senator Michelle N. Kidani, Chair  
Committee on Education  
Senator Chris Lee, Chair  
Committee on Transportation and Culture and the Arts  
Hawaii Capitol  
Honolulu, HI 96813

RE: HB 1857, HD 1 - RELATING TO SCHOOL SAFETY

Dear Senators Kidani and Lee and members of the Committees,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act, **supports HB 1837, HD 1** which requires the Department of Education to grant public access to emergency action plans that do not pose a security risk, requires each school to have a comprehensive school evacuation communication plan for use during emergencies.

SEAC is in strong agreement with the House of Representatives Schools Working Group formed after the devastating Maui wildfires that every family needs access to their child's school evacuation plan in order to prepare for unforeseen emergencies. This transparency not only potentially saves lives, but it also gives families peace of mind and strengthens the family-school partnership. We appreciate the attention called to the need for evacuation communication plans to include the access needs of students with disabilities on campus and the need for families and students to receive information in their primary language, including American Sign Language.

Thank you for the opportunity to speak in support of this legislation.

Respectfully,

Martha Guinan  
Chair

Council Chair  
Alice L. Lee

Vice-Chair  
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore  
Tasha Kama

Councilmembers  
Tom Cook  
Gabe Johnson  
Tamara Paltin  
Keani N.W. Rawlins-Fernandez  
Shane M. Sinenci  
Nohelani U'u-Hodgins



Director of Council Services  
David M. Raatz, Jr., Esq.

Deputy Director of Council Services  
Richelle K. Kawasaki, Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

March 19, 2024

TO: The Honorable Michelle N. Kidani, Chair, and  
Members of the Committee on Education  
The Honorable Chris Lee, Chair, and  
Members of the Committee on Transportation and Culture and the Arts

FROM: Alice L. Lee  
Council Chair

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

SUBJECT: **HEARING OF MARCH 20, 2024; TESTIMONY IN SUPPORT OF HB1837,  
HD1, RELATING TO SCHOOL SAFETY**

I **support** this measure to promote planning for evacuation of public schools in an emergency.

I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. This bipartisan proposal is a well-considered recommendation of the Schools Working Group from the House of Representatives' Lahaina Wildfire Interim Working Groups.
2. The Schools Working Group's "Finding 1: School Evacuation Plans" states: "One of the most prominent areas of concern for the Working Group—one shared by West Maui community members—is the adequacy of evacuation plans in place and the need for such plans to be rehearsed . . ."
3. Requiring collaborate in the creation of individualized school-evacuation plans, as this measure does, will ensure efficiency and public safety.

For the foregoing reasons, I support this measure.