



**STATE OF HAWAII
OFFICE OF LANGUAGE ACCESS**

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

Representative Kyle T. Yamashita, Chair
Representative Lisa Kitagawa, Vice Chair
House Committee on Finance

Hearing Date: 2/23/2024

Room Number: 308 & 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
16 of communication needs within our diverse community: it includes cultural awareness and
17 responsiveness to language access needs within the comprehensive evacuation communication
18 plan. This is significant, as it ensures the plan addresses the full spectrum of communication

1 needs, which can vary among individuals and communities, including differences in literacy
2 levels, preferred communication modes, and effective, respectful dissemination methods.

3 Furthermore, OLA would like to note that an average one-page document, set in Times New
4 Roman font size 12 with 1.5 spacing, contains approximately 350 words. The current market rate
5 for written translation services ranges from \$0.25 to \$0.50 per word, depending on the requested
6 languages, leading to an average translation cost of \$87.50 to \$175.00 per document.

7 Additionally, the current hourly market rate for interpreters from local service providers in the
8 state of Hawaii is between \$65.00 to \$85.00.

9 Therefore, to fully address language access needs as intended in this measure, dedicated funding
10 for language services, for both interpretation and translation, is needed and should be taken into
11 consideration within the budgeting process.

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



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
PRINCESS VICTORIA KAMĀMALU BUILDING
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 23, 2024

The Honorable Representative Kyle Yamashita, Chair
House Committee on Finance
Thirty-Second Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Representative Kyle Yamashita, 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. Appropriates funds. Effective 7/1/3000. (HD1)

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



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

Date: 02/23/2024

Time: 01:00 PM

Location: 308 VIA VIDEOCONFERENCE

Committee: House Finance

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 of emergencies and disasters that 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.

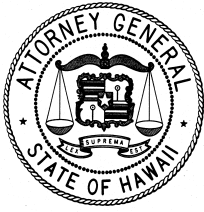
The Department has concerns about providing information regarding the emergency response plans. These plans include sensitive information about emergency procedures including, but not limited to, staff names, contact numbers, and emergency protocols.

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 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.

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 to carry out the mandates of this measure .

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**

ON THE FOLLOWING MEASURE:

H.B. NO. 1837, H.D. 1, RELATING TO SCHOOL SAFETY.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Friday, February 23, 2024 **TIME:** 1:00 p.m.

LOCATION: State Capitol, Room 308 and Videoconference

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

Chair Yamashita 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 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.

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

February 22, 2024

TO: The Honorable Representative Kyle T. Yamashita, Chair, and
Members of the House Committee on Finance

FROM: Alice L. Lee
Council Chair 

SUBJECT: **HEARING OF FEBRUARY 23, 2024; TESTIMONY IN SUPPORT OF
HB1837, HD1, RELATING TO SCHOOL SAFETY**

Thank you for the opportunity to testify in support of 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 the Department of Education to collaborate with the Department of Transportation in the creation of individualized school-evacuation plans will ensure efficiency and public safety.

For the foregoing reasons, I **support** this measure.

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TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAII

HOUSE COMMITTEE ON FINANCE

FEBRUARY 23, 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

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Abby Simmons

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Osa Tui, Jr.
President

Logan Okita
Vice President

Lisa Thompson
Secretary-Treasurer

Ann Mahi
Executive Director

TESTIMONY TO THE HAWAII HOUSE COMMITTEE ON FINANCE

Item: **HB1837 HD1 - Relating to school safety**
Position: **Support**
Hearing: **February 23, 2024, 1:00 p.m., Conference Room 308**
Submitter: **Osa Tui, Jr. – President, Hawai'i State Teachers Association**

Chair Yamashita, Vice Chair Kitagawa and members of the committee,

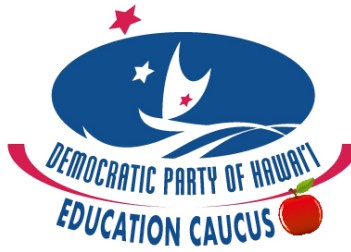
The Hawai'i State Teachers Association **supports** HB1837 HD1 which requires the Department of Education to grant public access to emergency action plans that do not pose a security risk to students, staff, or guests of school campuses, requires each Department school to have a comprehensive school 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 HDOE 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 committee to **support** this bill.



HOUSE BILL 1837, HD1, RELATING TO SCHOOL SAFETY

FEBRUARY 23, 2024 · FIN 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.

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Kris Coffield · Chairperson, DPH Education Caucus · (808) 679-7454 · kriscoffield@gmail.com