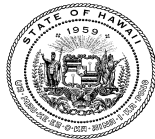


JOSH GREEN, M.D.
GOVERNOR



KEITH T. HAYASHI
SUPERINTENDENT

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

Date: 03/18/2024

Time: 03:02 PM

Location: CR 224 & Videoconference

Committee: Senate Education
Senate Labor and Technology

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB 2400, HD2 RELATING TO EDUCATION.

Purpose of Bill: Requires a teacher to surrender their teaching license if the teacher resigns or retires during the pendency of any investigation into allegations of sexual assault, sexual harassment, or other physical abuse of a student. Requires the surrender of the teacher's license to be reported to the National Association of State Directors of Teacher Education and Certification. Effective 7/1/3000. (HD2)

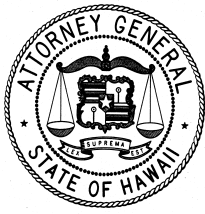
Department's Position:

Thank you for the opportunity to provide testimony on HB 2400, HD2. The Hawaii State Department of Education (Department) supports this measure which is part of the Governor's administrative package.

Requiring the surrender of a person's teaching license for resigning or retiring during the "pendency of any investigation" related to allegations of sexual assault or harassment, physical abuse of a student, and criminal or workplace investigations is a valuable action to implement in further protecting students.

The Department defers to the Department of the Attorney General on any potential due process or other legal issues that may result from enacting this proposal.

Thank you for the opportunity to testify on HB 2400, HD2



**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. 2400, H.D. 2, RELATING TO EDUCATION.

BEFORE THE:

SENATE COMMITTEES ON EDUCATION AND ON LABOR AND TECHNOLOGY

DATE: Monday, March 18, 2024 **TIME:** 3:02 p.m.

LOCATION: State Capitol, Room 224 and Videoconference

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

Chairs Kidani and Aquino and Members of the Committees:

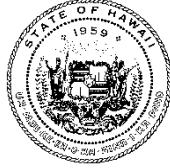
The Department of the Attorney General (Department) provides the following comments.

The bill requires a teacher to surrender the teacher's teaching license if the teacher resigns or retires during the pendency of any investigation into allegations of sexual assault, sexual harassment, or other physical abuse of a student, and requires the surrender of the teacher's license to be reported to the National Association of State Directors of Teacher Education and Certification.

To align this bill with the terminology currently used in section 302A-805(c), Hawaii Revised Statutes, which governs the forfeiture of a teaching license, the Department suggests the following revisions:

- Replace the word "surrender" with the word "forfeit" on page 1, line 17; page 2, line 13; and page 4, line 6 (in the first occurrence of "surrender" on that line).
- Replace the word "surrender" with the word "forfeiture" on page 2, line 18; and page 4, line 6 (in the second occurrence of "surrender" on that line).

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



STATE OF HAWAII
HAWAII TEACHER STANDARDS BOARD
650 IWILEI ROAD, SUITE 268
HONOLULU, HAWAII 96817

**WRITTEN TESTIMONY BEFORE THE SENATE COMMITTEE ON EDUCATION AND THE COMMITTEE
ON LABOR & TECHNOLOGY**

PERSON TESTIFYING: Felicia Villalobos, Executive Director, on behalf of the Hawai'i Teacher Standards Board

DATE: March 18, 2024

TIME: 3:02 PM

LOCATION: Conference Room 224 and Video Conference

TITLE OF BILL: HB2400 HD2 RELATING TO EDUCATION

PURPOSE OF BILL: Requires a teacher to surrender their teaching license if the teacher resigns or retires during the pendency of any investigation into allegations of sexual assault, sexual harassment, or other physical abuse of a student. Requires the surrender of the teacher's license to be reported to the National Association of State Directors of Teacher Education and Certification.

POSITION: Support

Chair Michelle Kidani, Chair Aquino, and Members of the Committees;

The Hawai'i Teacher Standards Board (HTSB) supports HB2400, HD2, relating to education.

We agree that allegations of sexual assault, sexual harassment, or other physical abuse of a student committed by a teacher, counselor, or school librarian should be taken seriously. We appreciate that this bill requires, if the individual retires or resigns during the inception or pendency of the investigation of these allegations, to surrender their teaching license. **In adhering to the spirit of this law, HTSB recommends additional language, to make things clearer for an individual charged with these allegations, that if an individual chooses to resign or retire before an investigation into the allegations listed in this bill, then the department will inform them in writing and obtain the individual's signature indicating their consent to the surrender of their teaching license, if they choose to resign or retire before the completion of an investigation. We also support that the department should finish their investigation, regardless if the individual resigns or retires.**

HTSB already has a process in place where we would then submit an individual's name, who surrenders their license with the reasons for investigation, to National Education of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse. **The Hawaii department of education already has the ability to remove an individual from the classroom or school while an investigation is completed, and we think this process should be continued.**

The Hawai'i Teacher Standards Board thanks you for listening to our testimony.