

STAND. COM. REP. NO. **3725**

Honolulu, Hawaii

**APR 05 2024**

RE: H.B. No. 2400  
H.D. 2  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2400, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require 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; and
- (2) Require the surrender of the teacher's license to be reported to the National Association of State Directors of Teacher Education and Certification.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Teacher Standards Board, and one individual.

Your Committee received comments on this measure from the Department of the Attorney General.



Your Committee finds that some teachers facing serious allegations, such as sexual assault or harassment of a student, exploit the existing system by resigning or retiring before they can be formally terminated after a completed investigation. Your Committee believes that it is imperative to address this critical issue within the State's education system. This measure will ensure that teachers who have resigned or retired in lieu of termination during the pendency of the investigation do not retain their teaching license.

Your Committee has amended this measure by:

- (1) Clarifying that teachers are required to forfeit, rather than 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;
- (2) Clarifying that the forfeiture of the teacher's license, rather than surrender of the license, must be reported to the National Association of State Directors of Teacher Education and Certification;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2400, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2400, H.D. 2, S.D. 2.

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



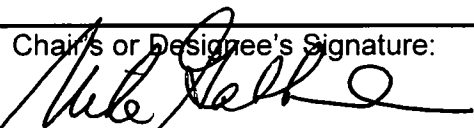
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KARL RHOADS, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB2400 HD2 SD1	EDU/LBT, JDC	04/0 <del>3</del> <sup>4</sup> /24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			<del>✓</del>
AWA, Brenton				✓
<b>TOTAL</b>	4	—	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:                    Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office              Drafting Agency              Committee File Copy				

\*Only one measure per Record of Votes