

STAND. COM. REP. NO. 3673

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 2577
H.D. 1
S.D. 1

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

Sir:

Your Committee on Education, to which was referred H.B. No. 2577, H.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) Authorize the Department of Health to require the Department of Education to report coronavirus disease 2019 potential outbreaks or other public health emergencies and related information in a manner most appropriate to public health and safety, as determined by the Department of Health; and
- (2) Repeal the requirement to publish the report on the Department of Education's website.

Your Committee received testimony in support of this measure from the Department of Education and Department of Health.

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

Your Committee finds that Act 4, Special Session Laws of Hawaii 2021 (Act 4), mandated the Department of Education to



publish weekly reports of coronavirus disease 2019 (COVID-19) cases in public schools. The federal public health emergency for the COVID-19 pandemic ended on May 11, 2023. Since then, the State has transitioned to post-pandemic public health and safety procedures. However, the Department of Education is required to continue its mandate by Act 4 despite shifting public health trends regarding COVID-19. Therefore, this measure streamlines existing reporting procedures while ensuring the health and safety of Hawaii's keiki and the greater educational community.

Your Committee acknowledges the concerns raised by the Department of the Attorney General that personally identifiable information may be inadvertently shared in the Department of Education's reporting process, violating the federal Family Educational Rights and Privacy Act (FERPA). Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language prohibiting the Department of Health from requiring the Department of Education to include in any report personally identifiable information or education records pursuant to FERPA;
- (2) Authorizing the Department of Education to provide personally identifiable information only after the Department of Education has determined that a health or safety emergency exists; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2577, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2577, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.



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



MICHELLE N. KIDANI, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* HB2577 HDI	Committee Referral: EDU	Date: 04/03/2024
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KIDANI, Michelle N. (C)				<input checked="" type="checkbox"/>
KIM, Donna Mercado (VC)	X			
HASHIMOTO, Troy N.	X			
RICHARDS, III, Herbert M. "Tim"	X			
FEVELLA, Kurt	X			
TOTAL	4			1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:

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*Only one measure per Record of Votes