STAND. COM. REP. NO.

2736

Honolulu, Hawaii FEB 2 9 2008

RE: S.B. No. 2080 S.D. 2

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

## Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2080, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TEACHER LICENSURE,"

begs leave to report as follows:

The purpose of this measure is to require the Hawaii Teacher Standards Board to revoke a teacher's license when the teacher has been convicted of certain sexual offenses against a minor.

Testimony in support of the measure was submitted by the Department of Education and the Hawaii State Teachers Association.

Your Committee finds that the health and safety of our keiki, particularly while they are in school, is a high priority for the State. While the Department of Education takes necessary precautions in screening and hiring employees, the Hawaii Teacher Standards Board can provide great assistance in ensuring that teachers convicted of certain crimes do not retain or renew their licenses to teach in the State. This measure requires the Hawaii Teacher Standards Board to automatically revoke a teacher's license upon notice that a teacher has been convicted of a sexual offense against a minor. Although this practice is being examined by the Hawaii Teacher Standards Board for inclusion in its administrative rules, your Committee believes that this matter is appropriate for statutory implementation to ensure the safety of our students.

Your Committee has amended this measure by:

- (1) Requiring the Department of Education to notify the clerk of the court of each individual who the Department has identified as a teacher who is being tried by the court for a sexual offense. The clerk of the court shall then transmit a copy of the judgment of conviction to the Hawaii Teacher Standards Board. This change will help the court clerk to identify which defendants are teachers;
- (2) Including sections 707-750, 707-751, 707-752, 707-753, and 707-756, Hawaii Revised Statutes, in the list of sexual offenses for which automatic revocation of a teacher's license applies;
- (3) Changing an incorrect reference to section 707-733.5, Hawaii Revised Statutes, to 707-733.6, Hawaii Revised Statutes; and
- (4) Changing its effective date to July 1, 2050, for purposes of facilitating further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2080, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2080, S.D. 2.

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

BRIAN T. TANIGUCHI, Chai

## The Senate Twenty-Fourth Legislature State of Hawaii

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:		Da	Date:	
JB 2080 SDI	EDHJDL		:	Date: 2-22-08	
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)		V			
HEE, Clayton (VC)					V
GABBARD, Mike					
KOKUBUN, Russell S.					
NISHIHARA, Clarence K.					
SLOM, Sam		<b>V</b>			
			General Consequence Consequence	Messealii isabaasi aa	
	Tak Di Pang, Addi sing si Naga Hasa da Ella. Addi San Andre Si naga da Hasa da Ella.				
TOTAL		4	0	0	2
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: / Original Yellow Pink Goldenrod Pile with Committee Report Clerk's Office Drafting Agency Committee File Copy					

<sup>\*</sup>Only one measure per Record of Votes