

Honolulu, Hawaii

**MAR 22**, 2024

RE: S.B. No. 2475  
S.D. 2  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 2475, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Create a registry for all preschools and K-12 educational institutions within the State that contains information on school employees, contractors, or volunteers for whom, as a result of an investigation, a final finding has been issued that the individual has inflicted harm on a student; and
- (2) Appropriate funds to establish positions within the Department of Education to manage the registry and carry out the requirements of this measure.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning; Department of Education; Hawai'i Teacher Standards Board; Kamehameha Schools; Punahou School; Hawaii Association of Independent Schools; and Hawaii Council of Private Schools. Your Committee received



comments on this measure from the Department of the Attorney General and Department of Human Services.

Your Committee finds that the establishment of a harm to students registry is critically important to increasing the communication between public and private preschools and K-12 educational institutions regarding individuals who have inflicted harm to students. The registry will assist educational institutions in making informed employment decisions which will better protect Hawaii's students from habitual perpetrators.

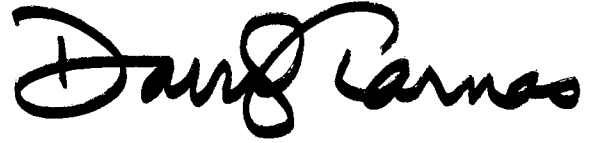
Your Committee has amended this measure by:

- (1) Allowing the Department of Education to share information from the harm to students registry with the Department of Human Services;
- (2) Establishing a process for a person to have their name removed from the harm to students registry;
- (3) Clarifying when an institution must defend and indemnify the Department of Education from liability;
- (4) Clarifying that term "institution" includes both public and private educational institutions;
- (5) Requiring a reporting private school, public charter school, or early learning program or school to certify, before transmitting an employee's name and other information to the Department of Education, that the employee either waived the right to appeal or lost the appeal; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2475, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2475, S.D. 2, H.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: <b>SB2475, SD3, HD1</b>	Committee Referral: <b>EDN, JHA, FIN</b>	Date: <b>3-20-24</b>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  
 Pass short form bill with HD to recommit for future public hearing (recommit)

JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. TAKAYAMA, Gregg (VC)	✓			
3. EVSLIN, Luke A.	✓			
4. GANADEN, Sonny	✓			
5. HOLT, Daniel				✓
6. ICHIYAMA, Linda	✓			
7. ILAGAN, Greggor	✓			
8. KONG, Sam Satoru	✓			
9. MIYAKE, Tyson K.	✓			
10. SOUZA, Kanani				✓
<b>TOTAL (10)</b>	<b>8</b>	<b>-</b>	<b>-</b>	<b>2</b>

The recommendation is:  Adopted  Not Adopted  
 If joint referral, \_\_\_\_\_ did not support recommendation.  
committee acronym(s)

Vice Chair's or designee's signature: \_\_\_\_\_  
*Greggor Ilagan*

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