

STAND. COM. REP. NO. 3007

Honolulu, Hawaii

MAR 01 2024

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

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

Sir:

Your Committees on Ways and Means and Judiciary, to which was referred S.B. No. 2475, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

beg leave to report as follows:

The purpose and intent of this measure is to protect students from individuals who have committed certain acts of misconduct.

Specifically, the measure:

- (1) Establishes a harm to students registry for all prekindergarten through grade twelve educational institutions within the State to report instances of acts by school personnel or volunteers that demonstrate harm to students;
- (2) Establishes qualified immunity for any employer who provides any good-faith information or opinion on a current or former employee's employment performance; and
- (3) Requires the Hawaii Teacher Standards Board to revoke the licenses of certain individuals who have resigned or retired during a pending investigation into allegations of sexual assault or sexual harassment.



Your Committees received written comments in support of this measure from the Department of Education, Executive Office on Early Learning, Early Learning Board, Kamehameha Schools, Hawaii Association of Independent Schools, and Punahou School.

Your Committees received written comments on this measure from the Department of Human Services, Department of the Attorney General, Office of Information Practices, Hawaii Teacher Standards Board, and State Public Charter School Commission.

Your Committees recognize that in recent years, the safety and security of Hawaii's schoolchildren have sometimes been violated by nefarious school employees. All too often, the offending employees seek and obtain employment at other schools. Your Committees find that a system that facilitates investigations and the sharing of information between educational institutions, as contemplated by this measure, will help ensure safer learning environments and hold irresponsible individuals accountable.

Your Committees have amended this measure by:

- (1) Clarifying that certain information shall be exempt only from the disclosure requirements of the Uniform Information Practices Act (Chapter 92F, Hawaii Revised Statutes);
- (2) Providing that the third member of the Superintendent of Education's temporary commission shall be a representative of private schools located in the State, as invited by the superintendent; provided that the right of first refusal to serve on the commission shall go to the Executive Director of the Hawaii Association of Independent Schools or the Executive Director's designee;
- (3) Providing that the Department of Education may share information from the harm to students registry with the Department of Human Services;
- (4) Deleting language relating to exemptions from criminal liability for good faith reporters;



- (5) Deleting language that would have required that a person's resignation or retirement during an investigation automatically result in the revocation of the person's teaching license and placement of the person on the harm to student registry;
- (6) Clarifying teacher license surrender provisions relating to any person who retires or resigns before the completion of an investigation; and
- (7) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

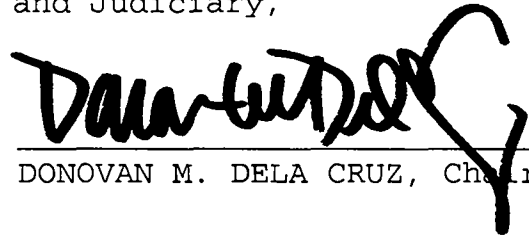
As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2475, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2475, S.D. 2.

Respectfully submitted on behalf of the members of the Committees on Ways and Means and Judiciary,



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KARL RHOADS, Chair



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DONOVAN M. DELA CRUZ, Chair





The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2475 SD1	EDU   LBT, WAM   JDC	02   22   24

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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	5	-	-	-

Recommendation:  Adopted                       Not Adopted

Chair's or Designee's Signature:  


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**\*Only one measure per Record of Votes**