

STAND. COM. REP. NO.

2237

Honolulu, Hawaii

FEB 12 2024

RE: S.B. No. 3089

S.D. 1

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

Sir:

Your Committees on Education and Labor and Technology, to which was referred S.B. No. 3089 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

beg leave to report as follows:

The purpose and intent of this measure is to require that licensed teachers have their license revoked by the Hawaii Teacher Standards Board if the teacher is resigning or retiring during the pendency of any investigation into allegations of sexual assault, sexual harassment, or other physical abuse of a student.

Your Committees received testimony in support of this measure from the Department of Education.

Your Committees received comments on this measure from the Hawai'i Teacher Standards Board.

Your Committees find that Hawaii's keiki have a right to safe and secure learning environments throughout their educational careers. However, certain individuals who perpetuate harm against children – including physical abuse, sexual assault, or sexual harassment – may still find employment in other jurisdictions despite allegations and accusations of misconduct. Additionally, certain instances of physical or sexual abuse may go undetected, as parents may be reluctant to have their children testify in public regarding a sexual or physical abuse incident, as the



testimony may cause the child to relive the traumatic event. Educational institutions may also terminate the perpetrator's employment to avoid tarnishing reputations. Providing quality educational experiences to Hawaii's keiki is of paramount importance to the State. Therefore, this measure provides increased protection and healthy, safer learning environments for students.

Your Committees have amended this measure by:

- (1) Inserting language that requires an individual who retires or resigns from teaching before the completion of the investigation to surrender their Hawaii teaching license;
- (2) Inserting language that requires the Hawaii Teacher Standards Board to report a surrendered license to the National Association of State Directors of Teacher Education and Certification; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Education and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3089, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3089, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Education and  
Labor and Technology,

  
HENRY J.C. AQUINO, Chair

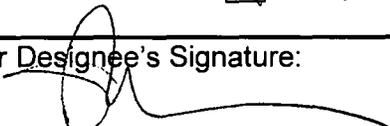
  
MICHELLE N. KIDANI, Chair





The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Labor and Technology**  
**LBT**

Bill / Resolution No.:* <b>5B9089</b>	Committee Referral: <b>EDU/LBT, JDC</b>	Date: <b>2-5-24</b>		
<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
AQUINO, Henry J.C. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
IHARA, Jr., Les				X
LEE, Chris	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

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