

JOSH GREEN, M.D.
GOVERNOR



KEITH T. HAYASHI
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/14/2023

Time: 02:15 PM

Location: 309 VIA VIDEOCONFERENCE

Committee: House Education

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB 0281 RELATING TO SCHOOLS.

Purpose of Bill: Requires the board of education to adopt rules to expand the jurisdiction of all public schools under the purview of the department of education to include a quarter-mile radius surrounding each public school.

Department's Position:

The Hawaii State Department of Education (Department) respectfully provides comments on HB 281. An expansion of a school's jurisdiction by a quarter-mile radius would overextend the resources of the majority of our schools due to ongoing personnel shortages.

Hawaii case law (*Miller v Yoshimoto* , 56 Haw. 333, 1975) stipulates that the Department has a duty to provide reasonable supervision of its students during their required presence at school and immediately after the school day is over. This duty entails general supervision unless specific needs or a dangerous or likely-to-be dangerous situation calls for specific supervision.

At this time, the Department believes its supervision could be expanded to cover the immediate vicinity of school grounds (i.e., City and County bus stops) directly before and after a school day ends. Further expansion of the coverage area would require additional staff and resources.

Thank you for the opportunity to provide testimony on this measure.

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Department's Position:

The Hawaii State Department of Education (Department) appreciates the intent to ensure safe environments for our students but respectfully opposes HB 281, which expands the jurisdiction of Department schools from our school campuses to a quarter-mile radius around our schools.

The Department understands our duty to provide reasonable supervision of our students while they are on our campuses during the school day and while students are participating in school-sanctioned activities on and off our school campuses. To ask our school leaders to provide such supervision of our students when they are off-campus and not engaged in a school-sanctioned activity is not practicable.

To hold schools responsible for the actions of their students while the students are within a quarter-mile of their respective school campuses will result in an undue burden on our school leaders. Within a quarter-mile radius of our schools are homes, businesses, shopping malls, private facilities, medical facilities, government facilities, and public spaces including beaches and parks. Our school leaders do not have the capacity to enforce Department and school rules, conduct investigations, and discipline students for misconduct committed in these off-campus locations.

Student safety is of the utmost importance to the Department and our schools will continue to instill in our students the values and attitudes needed to promote appropriate behaviors on and

off campus. Schools will also continue to provide students with the support and guidance needed to improve student behavior as necessary.

Thank you for the opportunity to provide testimony on this measure.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE **BL-BL**

February 14, 2023

The Honorable Justin H. Woodson, Chair
and Members
Committee on Education
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 309
Honolulu, Hawaii 96813

Dear Chair Woodson and Members:

SUBJECT: House Bill No. 281, Relating to Schools

I am Brian Lynch, Major of District 7 (East Honolulu) of the Honolulu Police Department (HPD), City and County of Honolulu.

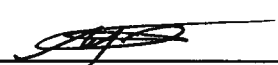
The HPD supports the passage of House Bill No. 281, Relating to Schools.

There have been many occasions where students leave campus to fight and conduct other undesirable behavior. School security will not leave campus boundaries to either prevent or intervene in conflicts. This enables negative behavior and creates more opportunities for bullying. Bullying has been identified as a problem in schools and creates a hostile environment. The HPD provides programs such as Drug Awareness Resistance Education (DARE) in schools and the prevention of bullying is part of that curriculum. We support programs that will provide a safe environment for students and further the prevention of bullying.

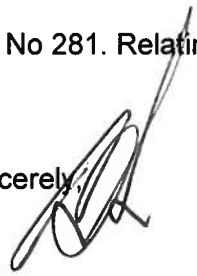
The HPD supports the passage of House Bill No 281. Relating to Schools.

Thank you for the opportunity to testify.

APPROVED:


Arthur J. Logan
Chief of Police

Sincerely,


Brian Lynch, Major
District 7