

STAND. COM. REP. NO. **236**

Honolulu, Hawaii

FEB 18 2015

RE: S.B. No. 819
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Education and Judiciary and Labor, to which was referred S.B. No. 819 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,"

beg leave to report as follows:

The purpose and intent of this measure is to bar prohibition of student or class participation in a fundraiser or charitable activity in conjunction with a nonprofit organization as part of a school project when participation benefits student learning.

Your Committees received testimony in support of this measure from the Department of Education, IMUAlliance, and the Hawaii Public Charter Schools Network. Your Committees received testimony in opposition to this measure from the Democratic Party of Hawaii Gay, Lesbian, Bisexual, and Transgender Caucus; Rainbow Family 808; and one individual. Your Committees received comments on this measure from the Hawaii State Ethics Committee and American Civil Liberties Union of Hawaii.

Your Committees find that it is important for students and schools to partner with nonprofit community organizations to foster civic engagement and service learning. Student participation in fundraising or charitable activities promotes character education pursuant to Board of Education Policy 2109. Provided that the educational value of the endeavor is defined and carried out, and no student is pressured to participate, fundraising and charitable activities that are conducted in conjunction with nonprofit organizations give students



opportunities to connect with the greater community while engaging in hands on learning experiences.


Your Committees have amended this measure by:

- (1) Adding language that requires the Department of Education to adopt reasonable, objective criteria pursuant to chapter 91, Hawaii Revised Statutes, for the selection of fundraising or charitable activities to ensure that such activities benefit student learning; and
- (2) Requiring that the criteria adopted by the Department of Education prohibits coercing or pressuring students or their families to participate in fundraising activities.

As affirmed by the records of votes of the members of your Committees on Education and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 819, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 819, S.D. 1, and be referred to the Committee on Ways and Means.

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

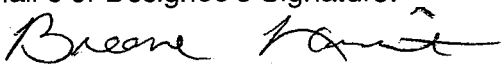

GILBERT S.C. KEITH-AGARAN, Chair


MICHELLE N. KIDANI, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i


Record of Votes
Committee on Education
EDU

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|---|---|---------------------------------------|----------------------------------|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SB 819 | EDU/JDL, WAM | 2/13/15 | | |
| <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 |
| KIDANI, Michelle N. (C) | ✓ | | | |
| HARIMOTO, Breene (VC) | ✓ | | | |
| CHUN OAKLAND, Suzanne | ✓ | | | |
| DELA CRUZ, Donovan M. | | | | ✓ |
| KEITH-AGARAN, Gilbert S.C. | ✓ | | | |
| KOUCHI, Ronald D. | ✓ | | | |
| NISHIHARA, Clarence K. | ✓ | | | |
| THIELEN, Laura H. | ✓ | | | |
| SLOM, Sam | | | | ✓ |
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| TOTAL | 97 | | | 2 |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
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| Distribution: | | | | |
| Original File with Committee Report | Yellow Clerk's Office | Pink Drafting Agency | Goldenrod Committee File Copy | |

*Only one measure per Record of Votes

The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

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|--|--|-------------------------|----------|----------|
| Bill / Resolution No.:* SB819 | Committee Referral: . EDU/JDL, WAM | Date: 2/13/15 | | |
| <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 |
| KEITH-AGARAN, Gilbert S.C. (C) | ✓ | | | |
| SHIMABUKURO, Maile S.L. (VC) | | | | ✓ |
| ESPERO, Will | ✓ | | | |
| GABBARD, Mike | | | | ✓ |
| IHARA, Jr., Les | ✓ | | | |
| THIELEN, Laura H. | ✓ | | | |
| SLOM, Sam | | | | ✓ |
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| TOTAL | 4 | 0 | 0 | 3 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes