

SEAC TESTIMONY FOR THE MARCH 11, 2022 MEETING

Testimony re: HB 2125

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Special Education Advisory Council
1010 Richards Street
Honolulu, HI 96813

March 09, 2022

Dear Chair, Vice Chair and SEAC Council Members,

I write this letter today to express concerns about House Bill 2125, HD1, which purposes to create a law specifically for parents of children attending public schools. If HB 2125 becomes a law it could potentially become a barrier for parents who have a child with disability receiving special education services. As parents we must advocate for our child(ren) and we need to be persistent in doing so at times. Things do get emotional and even frustrating but our school principals and district personnel can provide support in these situations when needed.

While I agree that parents should never be disrupting or interfering with the functions of any school and if a parent is unlawfully on a public school campus wouldn't current laws already in place be sufficient? Do we need a new law, one that could potentially hinder a parent's ability to advocate for their child, or do we need to consistently implement current laws? I have put my concerns in the form of who, what, where, when, how and why questions:

1. **What** is the definition of "annoying behavior" and "harassment" and **who** defines this? Will it be harassment if for example a parent repeatedly emails a teacher requesting their child's IEP Progress Report? While this could be defined as "annoying behavior" is it a crime? What about students 18+ years old attending school, could their behaviors as legal adults be perceived as annoying or threatening?
2. **Who** will determine if a parent is engaging in unlawful conduct? When does being persistent become unlawful? A parent who is a strong advocate for their child may have a challenging relationship with their school administration and the principal. This is prevalent on neighbor islands and in our rural, tight knit communities.
3. **How** does the school administration implement this law? **How** will they determine who is breaking the law and who isn't? What measures will be taken to ensure equity and consistency?
4. **When** does it become unlawful to be a strong advocate for your child? Where is the line between persistence and harassment? This is very subjective in my opinion and wide open for personal bias.
5. **Where** does this action take place? Will a student have to witness the police being called on their parent because a school official has deemed their behavior harassment? Will police officers be showing up on our school campuses statewide to implement this law?
6. **Why** do we now need a "special law" that only addresses harassment of educational workers?

As a former special education teacher for the HDOE I had my share of angry, upset and difficult parents. My school principal was able to step in to provide boundaries (ie no phone calls accepted during instructional time), so that instruction and daily school functions were not interrupted. I believe that our school Administrators and District personnel are well equipped to support our teachers, parents and schools.

I haven't heard, read or seen anything indicating that teachers are being harassed, threatened, or otherwise mistreated by parents. What are the numbers, is there data that can be reviewed? If this is truly an issue that requires intervention what steps have been taken to address the underlying issues first?

In summary, I fully support the safety and wellbeing of all our educational workers in our public schools. All teachers and educators should be safe in their workplace so they can do their job of educating our children. I believe we have existing laws in place that address harassment and threats but they need to be implemented. Improving relationships, communication and trust between our schools and families is the key in the big picture.

Respectfully,
Deborah Kobayakawa

To: DOH.DCAB, SPIN -- Special Parent Information Network

Testifier Position: Strongly Oppose HB2125

Thank you for an opportunity to provide comments on this bill. While I strongly support and endorse protection for all educators, being that I am an RBT who works in an elementary classroom daily alongside teachers, EA's and other specialists, I do have concerns with this bill and the possibility of overreach and misinterpretation.

First, to "harass, annoy or alarm" an educational worker is a very broad category of actions which could be misinterpreted. I'm confident that's not the intention of this bill, but it is an overly broad scope and lack of definitions does open the door to misinterpretation and overreach.

Secondly, if a parent or other person is harassing or threatening harm to any school personnel, such a person or school has the right to call the Police and file a complaint and/or TRO. If there is an assault on an educational worker such a person can be charged with a felony offense. I believe it should remain as such under the law.

Furthermore, in my personal experience as a parent who has navigated the Special Education process and fought hard to advocate for my child's needs, I am concerned that this bill will open the door for administrators/educational workers to retaliate against parents who advocate strongly for their child. I personally was retaliated against by a school administrator at my son's elementary school. This retaliation caused me such severe anxiety that I needed medication to breathe and therapy from a professional. I would never want another Special Needs parent to have to go through the stress I endured.

Sincerely,
Brandi Picardal

SEAC TESTIMONY FOR THE MARCH 11, 2022 MEETING

Testimony re: SB 2521



Vicki Davis <bootsaloha@hotmail.com>

Sat 3/5/2022 11:34 AM



To: DOH.DCAB, SPIN -- Special Parent Information Network

To Whom it May Concern,

I strongly support S.B. 2521 which provides funds to special education classroom teachers to spend toward instructional materials and equipment to meet their students' unique instructional needs.

Being the Grandparent of a special needs child in Waipahu, HI, I know the importance of this bill and providing teachers with adequate funds to assist their special needs students. Please give this bill your strong consideration.

Mahalo,

Vicki L. Davis
Hilo, HI