



STATE OF HAWAII
BOARD OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

September 15, 2015

TO: Lance Mizumoto
Chairperson, Board of Education

FROM: Investigative Committee on Ethics, Educational Travel, and
Teacher Participation
Brian De Lima, Vice Chairperson, Board of Education
Hubert Minn, Member, Board of Education
Amy Asselbaye, Member, Board of Education

AGENDA ITEM: Status Update from Investigative Committee (a permitted
interaction group pursuant to Hawaii Revised Statutes, Section 92-
2.5(b)(1)) investigating Hawaii State Ethics Commission decision,
educational travel, and teacher participation: announcement of
Investigative Committee meeting and timetable for input on issues,
concerns, and possible solutions

This is a status update on the work that the Investigative Committee on Ethics, Educational Travel and Teacher Participation ("Ethics-Travel Investigative Committee") has done as of September 8, 2015. It is not the final report of the committee.

Background. On September 1, 2015, the Board of Education ("Board") designated three Board members to serve on an investigative committee to investigate the decision by the Hawaii State Ethics Commission ("Ethics Commission") regarding educational travel and teacher participation. Three members, Board Vice Chairperson Brian De Lima, Board Member Hubert Minn, and Board Member Amy Asselbaye were designated to serve on the Ethics-Travel Investigation Committee. The committee members were asked to proactively find a solution to the issues relating to ethics and educational travel. The Ethics-Travel Investigative Committee was further asked to present a report to the Board no later than 60 days from the September 1, 2015 General Business Meeting at which it was formed.

Status and Next Steps. Since September 1, 2015, the Ethics-Travel Committee has been gathering relevant information, setting up a timeline for completion, and identifying, and inviting comment from stakeholders.

Methodology. The Ethics-Travel Committee is presently identifying relevant issues and concerns as follows:

1. Should travel be under auspices of the DOE, and to what extent?

2. Timetable for setting up a mechanism to allow for establishment of an account for receipt of gifts that may be used to pay for teacher travel.
3. Timetable for procurement to solicit, preapprove, travel companies and what specifications would be required for approval (ie. providing contribution for fund for every 6-10 students, indemnification of DOE, etc.)
4. Mechanism and prohibitions for soliciting students.
5. Mechanism for approval of trip, collection of funds, payment of teacher travel.

The Ethics-Travel Committee objective is to find consensus to ensure that student travel will occur with participation of teachers for whom the travel costs shall be covered to ensure a positive educational experience. Input from any interest group or individual will be welcomed as we attempt to find a solution that is generally accepted as workable and complies with all state laws. After all of this information collection and contact is complete the committee will review the information gathered and develop recommendations to the full Board.

Timeline. The committee plans to review all of this information and communicate as much as possible with stakeholders before it meets on September 25, 2015. At this meeting the Ethics-Travel Committee hopes to be able to develop recommendations it can present to the full Board at its October 6, 2015 General Business Meeting. A table with the projected timeline is below:

| Date | Action |
|---|--|
| September 1, 2015–September 24, 2015 | Collect relevant information |
| September 1, 2015–September 24, 2015 | Seek and Collect input from all sources |
| September 25, 2015 | Ethics-Travel Investigative Committee meets |
| October 6, 2015 | Report to full Board |
| October 20, 2015 | Full Board takes action on Ethics-Travel Investigative Committee recommendations |

Information Collection. With the assistance of the Department and the Ethics Commission, the Ethics-Travel Committee has collected and assembled information on: (1) tour companies offering free travel to teachers and other Department employees, (2) the travel questionnaires for approximately 22 trips where free trips were offered, (3) the Ethics Commission’s Advisory Opinion No. 2015-1 regarding free travel;¹ (4) HSTA’s petition for a Declaratory Order or Alternatively for a Contested Case Hearing regarding Free Teacher-Chaperone Travel issue;² and (5) a proposed draft of a Department policy regarding educational travel. The committee is in the process of reviewing all of this information.

Stakeholder Contact. The Ethics-Travel Committee accepts all written communication from any group and individual by providing the information to Board of Education office (email: boe_hawaii@notes.k12.hi.us). Please provide any written input by September 23, 2015 so that it can be considered by the Ethics-Travel Committee at their meeting on September 25, 2015.

We are hopeful that this matter will be resolved in an expeditious and timely manner.

¹ Available at: <http://files.hawaii.gov/ethics/advice/AO2015-1.pdf>

² Available at: <http://ethics.hawaii.gov/wp-content/uploads/2015/09/2015-08-26Petition.pdf>