



Nicole Arihood/PUUKUKUI/HIDOE
10/16/2015 07:51 AM

To boe_hawaii@notes.k12.hi.us
cc
Subject Testimony regarding Calendar
proposals for next SY

Aloha BOE Members,

I am a certificated teacher (ELL Coordinator) here at Pu'u Kukui Elementary in our DOE on Maui, and I completed the survey regarding our future calendar proposals. I wanted to share my thoughts with you prior to the October 20th BOE meeting at 5pm.

I am not in favor of Calendar A- I think that families need more time for travel before Christmas, than just 1-2 days to make it to their destinations. I also feel that Spring Break is too short on this calendar. I do like the May 26 end date though.

I like Calendar B- having work time almost the entire week before kids come + the weekend is helpful. I don't like that Christmas break begins right when school is out, not enough travel time for families. Spring Break is good.

I like the Calendar C- This is the one I would vote for! I like that we get the weekend before the kids come and that Monday for work time. I like that Christmas Break begins a few days before Christmas for travel time to destinations to see family, although the Jan 4th day is awkward for returning on a Friday for teachers. Spring Break is lengthier, which I like.

Thanks for listening,
~Nico Arihood

ELL Coordinator
Pu'u Kukui Elementary
808.727.3000 ext 3018

*Progressing students towards English language proficiency through opening
engaging and whole-child based instructional doors.*



Alyssa Akiyama
<aakiyama@barberspt.k12.hi.us>
10/16/2015 12:26 PM

To boe_hawaii@notes.k12.hi.us
cc
Subject Testimony: Heat Abatement Update
Progress (Barbers Point Elementary)

1 attachment



TeacherName_BOE_testimony_Oct20 (2).docx

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Alyssa Akiyama

-It is a beautiful day to be alive!

**

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**

October 16, 2015

Hawaii State Board of Education
P.O. Box 2360
Honolulu, Hawaii 96813

Re: GBM Agenda Item Update on the DOE Heat Abatement Program since October 6, 2015

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is Alyssa Akiyama and I am a 4th grade teacher at Barbers Point Elementary School (BPES). I am submitting written testimony to Chairperson Lance Mizumoto and Superintendent Matayoshi in regards to the agenda item, Update on Heat Abatement Program, for the Board of Education (BOE) meeting scheduled on October 20, 2015.

This is my third year teaching at BPES. Over the years, I have experienced many things that have impacted student learning in my classroom. One thing is the heat. This year my students and I graphed the temperature in our classroom from the middle of August to the middle of September. ___ % of the days were over ninety degrees. It is extremely hot in the classrooms after lunch. I have seen students become extremely tired, unmotivated, and irritable due to the heat. Students complained of headaches and two students had nosebleeds because it has been so hot. I myself went home many days with extreme migraines and heat exhaustion. The work environment is not conducive to providing my students with the best possible learning experience. Another issue that we have is noise disturbances. Barbers Point Elementary is located near an airport. Many times jets and airplanes fly overhead and I have to stop instruction because the students cannot hear. We also have noise disturbances because of the nearby construction and bi-monthly lawnmowers. Air-conditioning would create an enclosed classroom and eliminate most of the noise disturbances. The final issue I have experienced due to lack of air-conditioning is insects. Because our windows and doors are always open we have bees coming into the classroom. Several wasps have made nests in the room. I have had to kill two scorpions and several of centipedes that make their way into the classroom. These insects are not only distracting but pose a real threat to the students.

Each year, teachers are required to watch a set of DOE mandated videos. In the School Communities video, it is mentioned that "quality school climate, quality relationships and academic achievement go hand in hand-they are highly linked" (1:58). As a teacher in the DOE, I am measured on my teacher effectiveness every year. My students are measured on their learning progress each day. When the heat and noise issues affect my students and me, obtaining high levels of achievement become a challenge. I noticed that when my students are in the air-conditioned rooms such as the library or computer lab they are more alert and attentive. If my classroom was air-conditioned, I can envision how much teaching and learning can be achieved because I no longer have to deal with the heat, noise and insect issues.

I ask the BOE and the DOE to reexamine the Heat Abatement Priority list and place BPES high on the list. I believe that air-conditioning will make my classroom a quality learning environment. Thank you.

Regards,
Alyssa Akiyama



Darlene Cadiente
<dcadiente@barberspt.k12.hi.us>

10/16/2015 01:22 PM

To boe_hawaii@notes.k12.hi.us
cc
Subject Testimony: Heat Abatement Update
Progress (Barbers Point Elementary)"

1 attachment



heat abatement letter .docx

*-Darlene Cadiente
Yesterday is history,
Tomorrow is a mystery,
Today is a GIFT,
That's why they call it
"THE PRESENT"*

**

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October 16, 2015

Hawaii State Board of Education
P.O. Box 2360
Honolulu, Hawaii 96813

Re: GBM Agenda Item Update on the DOE Heat Abatement Program since October 6, 2015

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is Darlene Cadiente and I am a fourth grade teacher at Barbers Point Elementary School (BPES). I am submitting written testimony to Chairperson Lance Mizumoto and Superintendent Matayoshi in regards to the agenda item, Update on Heat Abatement Program, for the Board of Education (BOE) meeting scheduled on October 20, 2015.

I have been a teacher at BPES for the past three years. Over the years, I have experienced various allergies from dust and pollen, extreme heat, insects, and noise that have affected my teaching and my students' learning. Just recently, a student was sent home due to severe headache and nausea. I, myself, have had constant doctors' visits due to various allergies and rashes that only occurred when I started working at BPES.

Each year, teachers are required to watch a set of DOE mandated videos. In the School Communities video, it is mentioned that "quality school climate, quality relationships and academic achievement go hand in hand-they are highly linked" (1:58). As a teacher in the DOE, I am measured on my teacher effectiveness every year. My students are measured on their learning progress each day. When the heat and noise issues affect my students and me, obtaining high levels of achievement become a challenge. I noticed that when my students are in the air-conditioned library and/or computer lab they are more alert and attentive. If my classroom was air-conditioned, I can envision how much teaching and learning can be achieved because I no longer have to deal with the heat and noise issues.

I ask the BOE and the DOE to reexamine the Heat Abatement Priority list and place BPES high on the list. I believe that air-conditioning will make my classroom a quality learning environment. Thank you.

Regards,

Darlene Cadiente



Vicki Liu <vliu@barberspt.k12.hi.us>
10/16/2015 02:54 PM

To boe_hawaii@notes.k12.hi.us
cc
Subject Heat relief at Barbers Point

1 attachment



testimony.docx

I am honored to provide testimony on behalf of the students at Barbers Point and my dear colleagues that are heroes in my mind.

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October 16, 2015

Hawaii State Board of Education
P.O. Box 2360
Honolulu, Hawaii 96813

Re: GBM Agenda Item Update on the DOE Heat Abatement Program since October 6, 2015

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is Vicki Liu and I am a faculty member at Barbers Point Elementary School (BPES). I am submitting written testimony to Chairperson Lance Mizumoto and Superintendent Matayoshi in regards to the agenda item, Update on Heat Abatement Program, for the Board of Education (BOE) meeting scheduled on October 20, 2015.

I, like the other BPES community members who had submitted testimony, have concerns regarding the heat and noise issues. Assistant Superintendent Mr. Carlson has communicated with those who submitted testimony last month and explained that BPES is 17th on the priority list. In addition, an engineering consultant will be sent to the school and measure the noise level. While I appreciate his diligence and quick efforts, my concern is that BPES is continually being bypassed for air conditioning installation and moves further down the priority list depending on when and who does the study, and who makes the loudest complaints.

In a 2008 article from the Honolulu Advertiser, BPES was listed as the second highest school with the hottest temperature of 96.5 based on DOE data (see image 1). In the article, then DOE Assistant Superintendent Randy Moore, acknowledged that unique factors such as noise and dust would push up Campbell High School on the priority list. The unique factors at BPES are our location next to Kalaeloa Airport, near an industrial area, and surrounded by vacant parcels (see image 2). Our school has just as much, maybe even more noise, insects, dust, and heat issues as Campbell High School, yet they are currently ranked higher on the Heat Abatement Priority list. In fact three years later in 2011, BPES was no longer listed as one of the hottest schools. Instead, majority of the Campbell complex schools were put on the list even though these schools were not on the list just a few years earlier (see image 3). BPES, like the Campbell complex schools is located on the Ewa Plain. Our school is just as hot as theirs throughout the year.

In conclusion, BPES principal, Mrs. Claudia Nakachi, was interviewed in a Honolulu Advertiser article and stated, "more rooms will be air-conditioned soon" (see image 4). That article was written in 2001. **Fourteen years later and no progress on the installation of air conditioning at BPES has been made.** To me, that rate of progress is completely unacceptable.

I would like to add that I have been a teacher at Barbers Point for nearly **twenty years**. BPES has been on the top of a mystery list, then in the next year removed off of the list entirely, and then put on a list again that would take 100 years to complete. After teaching 20 years, the heat this year has been **brutal** and unlike any conditions I have experienced. Teachers were affected with health conditions such as skin rashes, and for myself pure exhaustion. Although encouraging my students to drink water constantly throughout, I rarely had the opportunity to drink myself. The mere fact that we as teachers were able to continue with our curriculum and moved students forward academically was nothing short of a miracle. I applaud my colleagues, and know what amazing effort and fortitude it took to work with their students under the

conditions we faced. Please, I implore you to provide them with the educational environment they deserve. Nothing short of that is acceptable. I can guarantee you that no one on the Board of Education Committee would have been able to endure the conditions our staff and students at Barbers Point endured. As a mother, a teacher, a taxpayer, and an involved member of my community I simply ask that you finally address the heat at Barbers Point. One staff member received a response from her testimony that stated we were 17 on the list. Another staff member heard we were at the top of the list but because our teachers, staff and students were not going to the hospital like our neighboring schools, we were again taken off the list. I truly hope this was purely a rumor.

I was hopeful my employer was going to address the situation at my school. A gentleman came to my room and stated he was looking at my outlets to assist us and provide relief.. He even commented that we don't have ceiling fans like other classrooms and noted the heat himself. No one in **twenty years** has ever come into my classroom saying they were here to help us. Soon after his inspection, we were taken off the list again. What does it take? The conditions are unacceptable and the students in my class deserve more from the adults In their world that can provide them with a reasonable learning environment.

My students provided their own testimony, in their own words, using their own voices. I did not influence what they wanted to say in any manner. Their voices are strong, genuine, and truthful. If they cannot convince you, then I have no words, and our voices will only be silenced by your inaction.

Thank you for the opportunity to be heard.

Sincerely,
Vicki Liu

15 HOTTEST O'AHU SCHOOLS

	MAX TEMP.
Lokelani Intermediate	96.7
Barbers Point Elementary	96.5
Kihei Elementary	96.5
Kaunakakai Elementary	94.4
Ka'iulani Elementary	93.6
Kalākaua Middle	93.6
Kalihi Kai Elementary	93.6
Likelike Elementary	93.6
Moanalua Elementary	93.6
Salt Lake Elementary	93.6
Āliamanu Elementary	93.4
Āliamanu Middle	93.4
Moanalua Middle	93.4
Farrington High	93.4
Shafter Elementary	93.3

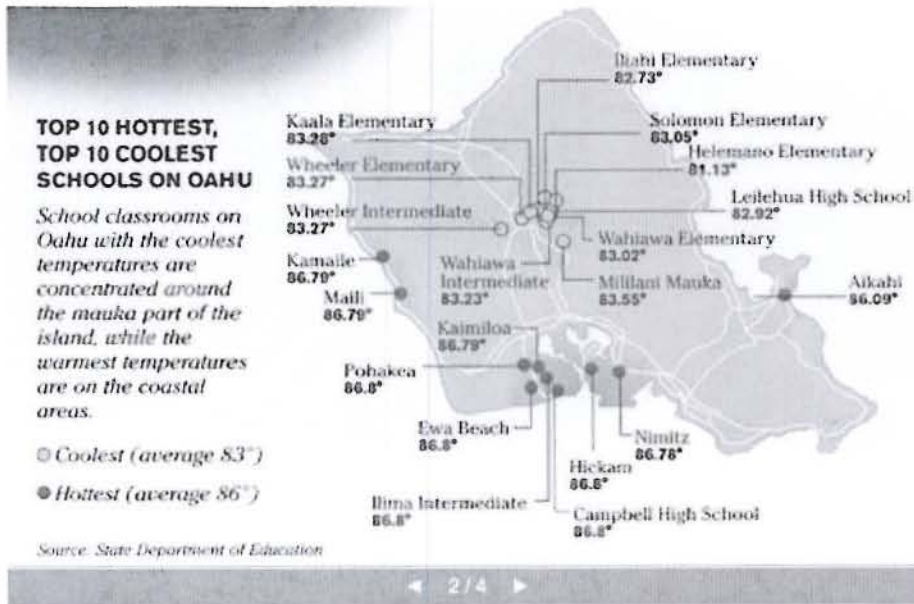
Source: Department of Education

Image 1: 15 Hottest Oahu Schools in 2008

From: <http://the.honoluluadvertiser.com/article/2008/Mar/12/ln/hawaii803120414.html>



Image 2: Barbers Point Elementary and Kalaeloa Airport
From Google Maps



Click here to enlarge.

Image 3: Top 10 Hottest and Coolest Schools on Oahu in 2011

From:

http://www.staradvertiser.com/news/20110131_DOE_seeks_ways_to_cool_classrooms.html?id=114919909

The Barbers Point campus consists of nine buildings linked by a covered lanai. There are seven wings of classrooms, an administration/library building and a cafeteria.

Murals with space themes and Sesame Street characters created by students, artists and teachers line the walkways. Each row of classrooms has its own name, including Cookie Monster Lane, Miss Piggy Lane and Bert Boulevard.

More teachers have been hired and more rooms will be air-conditioned soon, Nakachi said.

• **What are you most proud of?** "I guess its the commitment of the teachers and the staff toward students' learning," Nakachi said. "Barbers Point has the distinction of being the first public elementary school accredited by the Western Association of Schools & Colleges. That shows a lot of dedication on the part of the staff."

• **Best-kept secret:** "We have no secrets," Nakachi said.

• **Everybody at our school knows:** "Our friendly clerk typist Katherine White," the first person to greet everyone at the school.

• **Our biggest challenge:** Adjusting to the changing demographics and the growing population of Kapolei.

• **What we need:** Air-conditioning.

• **Projects:** A fence is about to go up around the entire school. The state just completed installing a new electrical wiring system on campus to allow the school faster Internet connections, better internal communication and the capacity for more air-conditioning.

Image 4: Interview with Mrs. Nakachi, BPES Principal

From: <http://the.honoluluadvertiser.com/article/2001/May/24/ln/ln14a.html>



"Carolyn E. Hayashi"
<CEHayashi@Lawcsilc.com>

10/16/2015 06:26 PM

To "boe_hawaii@notes.k12.hi.us"
<boe_hawaii@notes.k12.hi.us>

cc 'Susan Fujii'
<fujii005@hawaii.rr.com>, 'Derek
and Karen Iha'

Subject BOE General Business Meeting 10/20
at 5:00 p.m.- Testimony on Committee
Action on budget restriction
implementation for Fiscal 2015-16

1 attachment



LACA_testimony.pdf

As president of the Leilehua Alumni and Community Association, I am submitting the attached testimony on behalf of LACA for the General Meeting on October 20th at 5:00 p.m. and will be present at the BOE meeting to answer any questions that evening.

Carolyn E. Hayashi

CHAR SAKAMOTO ISHII LUM & CHING

Attorneys at Law

A Law Corporation

(808) 522-5133

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**



Wahiles

LEILEHUA ALUMNI AND COMMUNITY ASSOCIATION
841 Bishop Street, Suite 850, Honolulu, Hawaii 96813
Established in 2012

October 16, 2015

Principal, Leilehua High
School:
Jason Nakamoto

Via email: boe_hawaii@notes.k12.hi.us

President:
Carolyn Hayashi
Class of 1979

Board of Education
P.O. Box 2360
Honolulu, Hawaii, 96813

Vice President:
Derek Iha
Class of 1979

Subject: Board of Education General Business Meeting
October 20, 2015 at 5:00 p.m.
Report of Finance and Infrastructure Committee Report on
(4) Committee Action on Recommendation concerning
Department Of Education's operating Budget: budget
restriction implementation For Fiscal Year 2015-2016
GIA Leilehua Alumni Community Association

Secretary:
Susan Fujii
Class of 1966

Treasurer:
Jensen Kono
Class of 1977

Directors:
Donovan Dela Cruz
Class of 1991

Dear Chairman Mizumoto and members of the Board of Education:

Rene Mansho
Class of 1967

As president of Leilehua High School Alumni and Community Association ("LACA"), a 501©(3) organization, I am requesting on behalf of LACA that the Board does not approve a restriction on the \$250,000 GIA awarded to LACA this year.

Gerrie Nakamura
Class of 1967

Scholarship Committee:
Susan Fujii
Carolyn Uchiyama
Class of 1966

The purpose and mission of LACA is to provide needed funding and support for programs and activities of Leilehua High School and its feeder schools. The purpose of the purpose of the GIA is to help fund the development and implementation of a STEM program from K-12 grades in the Leilehua Complex and will be overseen by LACA. The Leilehua Complex does not currently have a STEM program.

Fundraising Committee:
Derek Iha

Fundraising Dinner
Planning Committee:
Rene Mansho, chair
renemansho@hawaii.rr.com
(808) 291-6151 (c/t)

Wahiawa and surrounding communities have struggled since the decline of sugar and pineapple industries, and the ebb and flow of military personnel has also caused economic instability for business. Loss of employment has contributed to high poverty levels. According to DOE statistics, over 50% of students in seven of the ten schools within the complex qualify for free or reduced cost lunches. In two elementary schools, the rates are over 80%.

Over the past ten years, growth in STEM jobs was over three times greater than that of non-STEM jobs in the United States. By 2017, STEM-related jobs across industries in Hawaii are estimated to increase to 63,000 jobs, or approximately 16,500 more workers in STEM jobs



LEILEHUA ALUMNI AND COMMUNITY ASSOCIATION
841 Bishop Street, Suite 850, Honolulu, Hawaii 96813
Established in 2012

Principal, Leilehua High
School:
Jason Nakamoto

Board of Education
October 16, 2015
Page 2

President:
Carolyn Hayashi
Class of 1979

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Planning Committee:
Rene Mansho, chair
renemansho@hawaii.rr.com
(808) 291-6151 (c/t)

annually. For example, Leilehua Complex students will have the opportunity to apply for and seek positions with the National Security Administration's Hawaii branch located just outside of Whitmore Village and in the developing agricultural technology park known as the Whitmore Project – IF they can receive the education needed to be competitive.

There are many naysayers who believe that students from public schools, and particularly from Leilehua, do not have a chance to compete with students from private and mainland schools for those jobs.

With the GIA funds awarded to LACA and with LACA's oversight, we can start to pursue those opportunities and to prove the naysayers wrong. \$25,000 may not sound like much when it comes to a multi-million dollar budget, but it is a lot to LACA and a lot to our schools. A quarter of the school year has already gone by and another quarter of job skills development and educational opportunities has been lost.

Please help us to help our students by not restricting or delaying LACA's GIA funding.

Very truly yours,

Carolyn E. Hayashi
President
Leilehua Alumni and Community Association



<botelhom004@hawaii.rr.com>

10/18/2015 09:47 PM

To boe_hawaii@notes.k12.hi.us

cc

Subject Testimony for Update on Heat Abatement Program {Barbers Point Elementary}

Dear Board of Education,

Hi my name is Emily, I am a fifth grade student at Barbers Point Elementary School. As you know our school has been needing air conditioning. If you could just take a little time to hear the reasons I say my school needs air conditioning I would really appreciate that. You need to know Barbers Point is the second hottest school in Oahu. Some reasons I have to back me up is learning in heat is hard, when it get's hot it is not a safe environment, when it is hot bugs start getting in the room, and the world is just going to get hotter.

My first reason is as a student I can honestly tell you it is really hard to learn in heat. One reason is kids think more about how hot it is than what there actually learning. I can say sometimes I am thinking more about the heat than the math I am learning. Another reason is when it is hot I sometimes feel like sleeping, even when it isn't the morning a few hours after I have just woke up. It's especially effective after recess. You may be thinking that kids can't get tired in the afternoon but I can tell you that I have almost fallen asleep in class.

My second reason is learning in heat is not safe. I say this because there is a lot of scientific proof that this is right. One piece of evidence I have is that heat causes nose bleeds. The reason this happens is living in hot weather dries out the nasal membranes in the nose. Which this causes the crusting in the nose which makes the nose itchy or irritated. If the nose is scratched or picked it will bleed. My experience is I had a lot when I was in third grade. Another health problem with heat is dehydration. The reason of dehydration is when we sweat which we do a lot with the weather. Yes we could drink more water but some people don't have water bottles and the people who do have water bottles the water runs out quickly. I know we could use the water fountain, but one the water is gross and we would be disturbing the teaching if we needed to drink water right in the middle of a lesson or when taking a test.

My third but not last reason is bugs start getting into the classroom. As I hope you know bugs in a classroom is not very clean and is bad. I know that when it is really hot mosquitos start coming out. I know you know how bad that is. Mosquito bites make learning hard. Mosquitos come out because especially when it has rained after the weather becomes very hot and humid. Some times the mosquitos will lay eggs in the puddles of the water and reproduce. If we had air conditioning we would have the door closed and the mosquitos won't get in. As a student who has gotten bites I know that mosquito bites are horrible. It causes many itchy spots and sometimes blood. One time I had 15 mosquito bites on both my legs.

My final reason is as you know the world is just going to get hotter. As you know we are going through global warning. With the way we are handling the problem the Earth is just going to get hotter. I know this because I have done some research that says since we are burning too much fossil fuel, the atmosphere is braking down. The atmosphere is what keeps some of the heat out so that we wouldn't die of heat. Now that it's breaking down the world is going to get hotter and I would like kids to like school. Think about the kindergartners who are new to school they have to come in with a hot room.

This will cause them to not like school which of course we don't want.

Since my school has some second grade classes in air conditioning I know what it feels like and I know that I liked my second grade year a lot more with the air conditioning than the years with out it. I focused better and it was easier to learn. When you really think about it really hard you'll realize that we are your feature and how the society ends up later depends on the kids now, but how the society now depends on you not us. You have the power to change that. I kindly ask you to walk a day in one of our shoes and do your work in a hot and humid classroom. You get the luxury of air conditioning we don't. So can you please consider this writing and a lot more writings from other students, parents, and teachers form Barbers Point on our request or air conditioning. Thank you for giving me the time to tell you a few things on my request.

Sincerely
Emily Botelho

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**



Margaret Botelho
<mbotelho@barberspt.k12.hi.us>
10/18/2015 10:33 PM

To boe_hawaii
<boe_hawaii@notes.k12.hi.us>
cc
Subject DOE Heat Abatement Priority List

October 19, 2015

Hawaii State Board of Education

P.O. Box 2360

Honolulu, Hawaii 96813

RGBM Agenda Item Update on the DOE Heat Abatement Program since October 6, 2015

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is John Botelho) and I am a concern parent at Barbers Point Elementary School (BPES). I am submitting written testimony to Chairperson Lance Mizumoto and Superintendent Matayoshi in regards to the agenda item, Update on Heat Abatement Program, for the Board of Education (BOE) meeting scheduled on October 20, 2015.

I, like the other BPES community members who had submitted testimony, have concerns regarding the heat and noise issues. Assistant Superintendent Mr. Carlson has communicated with those who submitted testimony last month and explained that BPES is 17th on the priority list. In addition, an engineering consultant will be sent to the school and measure the noise level. While I appreciate his diligence and quick efforts, my concern is that BPES is continually being bypassed for air conditioning installation and moves further down the priority list depending on when and who does the study, and who makes the loudest complaints.

In a 2008 article from the Honolulu Advertiser, BPES was listed as the second highest school with the hottest temperature of 96.5 based on DOE data (see image 1). In the article, then DOE Assistant Superintendent Randy Moore, acknowledged that unique factors such as noise and dust would push up Campbell High School on the priority list. The unique factors at BPES are our location next to Kalaeloa Airport, near an industrial area, and surrounded by vacant parcels (see image 2). Our school has just as much, maybe even more noise, insects, dust, and heat issues as Campbell High School, yet they are currently ranked higher on the Heat Abatement Priority list. In fact three years later in 2011, BPES was no longer listed as one of

the hottest schools. Instead, majority of the Campbell complex schools were put on the list even though these schools were not on the list just a few years earlier (see image 3). BPES, like the Campbell complex schools is located on the Ewa Plain. Our school is just as hot as theirs throughout the year.

In conclusion, BPES principal, Mrs. Claudia Nakachi, was interviewed in a Honolulu Advertiser article and stated, "more rooms will be air-conditioned soon" (see image 4). That article was written in 2001. **Fourteen years later and no progress on the installation of air conditioning at BPES has been made.** To me, that rate of progress is completely unacceptable.

Regards,

John A. Botelho

botelhoj004@hawaii.rr.com

**

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**



Margaret Botelho
<mbotelho@barberspt.k12.hi.us>
10/18/2015 10:30 PM

To boe_hawaii@notes.k12.hi.us
cc
Subject Subject: GBM Agenda Item Update on
the DOE Heat Abatement Program
since October 6, 2015

October 19, 2015

Hawaii State Board of Education

P.O. Box 2360

Honolulu, Hawaii 96813

Re: GBM Agenda Item Update on the DOE Heat Abatement Program since October 6, 2015

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is Margaret Botelho and I am a teacher at Barbers Point Elementary School. I am submitting written testimony to Chairperson Lance Mizumoto and Superintendent Matayoshi in regards to the agenda item, Update on Heat Abatement Program, for the Board of Education (BOE) meeting scheduled on October 20, 2015.

I have been a teacher at BPES for 12 years. In the past 9 years of my teaching at BPES, I have worked in a non-air conditioned classroom. I remembered the heat, bugs, insects, noise issues, and brush fires that affected my teaching and my students' learning. My students were unfocused and inattentive to the learning that took place in the classroom. At times, I would take the learning outside the classroom where the students could learn and feel more comfortable. This was due to the breeze that was more comfortable than a hot classroom. It was more effective to take the learning outside even with the distractions of the airplanes flying over our heads.

Secondly, I have a daughter who is a 5th grader at BPES. She has shared with me numerous times of her discomfort experiences of being in a hot classroom. She not only goes through the hot day of being in a classroom that has no air-conditioned, but also gets bit by mosquitos each day. Her morning routine consists of applying " bug repellent " rather than lotion or perfume. I'm sure you don't have to do that as part of your morning routines. She is so good about making sure she applies bug repellent before leaving the house. If she forgets, I make sure I

keep one in my classroom so she can apply on her body before heading to her classroom. She too, has sent in her testimonial on her opinions and reasons of why BPES should be on the Heat Abatement Priority list. I ask that you take the time to read hers " Emily Botelho".

Lastly, each year, teachers are required to watch a set of DOE mandated videos. In the School Communities video, it is mentioned that "quality school climate, quality relationships and academic achievement go hand in hand-they are highly linked" (1:58). As a teacher and a colleague at BPES, I know what my colleagues are measured on their teacher effectiveness every year. Students are measured on their learning progress each day. When the heat and noise issues affect students and their teaching, obtaining high levels of achievement become a challenge. If all classrooms at BPES were air-conditioned, we can envision how much teaching and learning can be achieved because I see the advantages of teaching in an air-conditioned classroom. I am one of the 5 teachers that teach in an air-conditioned classroom. Therefore, the heat, noise issues, and the mosquitos that other students at BPES have to go through each day do not affect my students as much. My students come to school each day and share how lucky they are to have an air-conditioned classroom and share that they have a sibling that sits in a non-air-conditioned classroom. How sad is that to hear from a student.

I ask the BOE and the DOE to reexamine the Heat Abatement Priority list and place BPES high on the list. I believe that air-conditioning will make all classrooms a quality-learning environment. Thank you.

Regards,

Margaret Botelho

Grade 2 Teacher, BPES

**

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**



"Live Bait Sport Fishing"
<Fraziern001@hawaii.rr.com>

10/19/2015 05:47 AM

To <boe_hawaii@notes.k12.hi.us>
cc
Subject Testimony: Heat Abatement Update
Progress (Barbers Point Elementary)

Dear BOE and to Whom It Is Concerned,

We are parents of Barbers Point Elementary School student. From my understanding, we were astonished and upset to hear that BPES was removed from the Heat Abatement Program list when the school is located in one of the hottest part of Oahu, Ewa plains.

Our daughter, who rarely complains about heat (we do not have A/C at home) comes home daily exhausted from the heat. Her big 40 oz. bottle is empty. She tells us that she can not focus at school because it is way too hot. Her friends have felt sick and was sent to the health room because of the heat. When we went to Orientation Night (it was after 6:00 pm), we witnessed the room with only a slow ceiling fan and a small stand up fan which just circulates warm air. It was hot and every parent, teachers, and students were all sweating. And again, this was after 6:00 pm. We were so disappointed that we immediately bought a big standup fan for the classroom to help out even little bit, only to find out that there is not enough power to have too many fans running. Furthermore, she just had a health check up and have lost more weight than she should which even the doctor stated that might be from all the sweating. Also, we were told that there are so much noises that distracts the classroom. Many schools in Oahu are located near busy highways, construction sites, and other places that creates much noise. However, they could keep their doors and windows closed to keep the noise out because they have air conditioning. Barbers Point does not and therefore keeps their door and windows open to keep the classroom as not heated as possible. Our daughter has a male teacher that could teach in loud voice, but even he has to stop teaching because of the jet flying by or a construction truck passing by. The grade school students are all still very young. It is very easy for them to loose their focus as the teacher pauses.

As parents, our daughter's health comes first. And at the same time, we consider education very important too. We feel both of our vital importance for our daughter is violated. We do not want to see anymore students and teachers getting sick. We do not want to see my daughter not understanding her work because she could not concentrate or hear. Please reconsider putting Barbers Point Elementary School on the Heat Abatement Program list and help these students attain the right education they need in the right environment by assisting the school with an air conditioning classrooms.

Thank you very much in advance.

Respectfully,

Shannon and Nami Frazier
Parents of BPES

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www.avast.com

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**



"Live Bait Sport Fishing"
<Fraziern001@hawaii.rr.com>
10/19/2015 06:14 AM

To <boe_hawaii@notes.k12.hi.us>
cc
Subject Testimony: Heat Abatement Update
Progress (Barbers Point Elementary)

Dear Board of Education,

Hi. My name is Leina Frazier and I am a 5th grader at Barbers Point Elementary School. I am asking you to please help my school by providing air conditioner.

If one of you could come and see for yourself, you would completely understand. We are like in a sauna. We are all sweating. It is so hot that we try to stand in front of small fan we have in our rooms but it doesn't really help because it just lets out hot air.

We can not concentrate on our work because it is so hot. My friends and I are always fanning ourselves though we know it's a distraction. Some of my friends have to go to the health room because of the heat. They feel nauseated and have headaches. One boy had a bloody nose. I have a 40 oz. water bottle I bring everyday but the water is gone by half of the day and have to go all the way to the cafeteria to refill it up which again distracts my class time. By the time I get home from school, I am exhausted from sweating.

Secondly, because our teacher has to keep the windows and doors all open to let the air flowing (though it's still hot air), the noises from constructions, trucks, airplanes, helicopters and other noises makes our teacher to stop teaching us because we can not hear him. We loose so much time learning because of that but if we close the windows and doors, we would cook like bacon! Please help!

Lastly, I do not like bugs, especially the ones that stings or bites like centipedes, scorpions, and bees. Most of my friends do not either. They come in freely as again, the doors are all open.

If you could help us with air conditioner for our school, I am positive that you would see better grades and not much absences at my school. I love my school and I really hope that you would consider helping us.

Thank you very much for your time to read this.

Sincerely,

Leina Frazier

5th Grade, Mr. Karsk Class

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www.avast.com

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**



Theresa HABERSTROH <kevlar_h@msn.com>
10/19/2015 06:45 AM

To "boe_hawaii@notes.k12.hi.us"
<boe_hawaii@notes.k12.hi.us>
cc
Subject Testimony on the DOE School Year
Calendars

Aloha,

My name is Theresa Haberstroh and I have been teaching in Hawaii since 1991, with the DOE since 2002. I am also a mother of 2 elementary school students. The school year calendar has an immense impact on the lives of all of our Hawaii families and therefore I wish to give my testimony regarding it.

As both a professional and a parent, I do not mind starting school at the beginning of August. That's less unstructured time for all of Hawaii's children and therefore less loss of learning over the summer break. The heat was an issue this year, however, the calendar is not an effective way to provide heat abatement.

Areas of the school calendar year where I do feel strongly is the time for Winter Break, as well as the time it takes to complete report cards and prepare for parent/teacher conferences.

Winter Break is by its nature an extremely busy time of year. Most of us spend hours of time just getting ready for and then cleaning up after the holidays. Two weeks at this time of year is barely enough to handle this rush, much less recuperate and have the much needed break we teachers deserve. Students before the break are extremely excited and take a lot more energy. In addition, we teachers will be needing to again prepare report cards for our students.

Just this week for first quarter report cards I have spent 14 HOURS on assessments, gathering evidence, writing report cards and preparing to meet with every parent of my students. That's 2 full instructional days alone. Then, this week when we have conferences, we'll be giving up our contractual time for planning by 3 hours and 45 minutes since our conferences go from 1:05-2:45 daily. Some conferences are actually scheduled later than this time. All of this time mentioned is time outside of the contract; time that is GIVEN to the State of Hawaii's children and families. Almost every teacher I know does this as well. This will happen all over again at Winter Break and then again at Spring Break, and then again in a mad dash to have report cards done before students leave on the last day of school.

Please consider adding in more time to the calendar year at Winter Break to give us very hard working teachers and parents a break. Please also consider adding in more time after each reporting period to pay us for the work we need to do to be Effective Educators and provide timely and accurate reports for our students and families. The school year could be extended a few extra days to include this well deserved time.

Respectfully Submitted,

Theresa A. Haberstroh
2nd Grade Teacher
Haiku Elementary School
105 Pauwela Rd.
Haiku, HI 96708
808 572-6952 (home #)

**

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**



Malia Kawai <mkawai@barberspt.k12.hi.us>
10/19/2015 07:41 AM

To boe_hawaii@notes.k12.hi.us
cc
Subject Testimony: Heat Abatement Update
Progress (Barbers Point Elementary)

1 attachment



Testimony.docx

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**

October 17, 2015

Hawaii State Board of Education
P.O. Box 2360
Honolulu, Hawaii 96813

Re: GBM Agenda Item Update on the DOE Heat Abatement Program since October 6, 2015

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is Laureen Kawai and I am a (teacher) at Barbers Point Elementary School (BPES). I am submitting written testimony to Chairperson Lance Mizumoto and Superintendent Matayoshi in regards to the agenda item, Update on Heat Abatement Program, for the Board of Education (BOE) meeting scheduled on October 20, 2015.

I have been a teacher at BPES for 20 years. Over the years, I have experienced (bugs, dirt, dust, jets and helicopters flying low, horn from the train, lots of sweat, and dizziness) that have affected my teaching and my students' learning. Just recently, (I had surgery to drain an abscess that was the size of a golf ball that was due to heat according to the general surgeon. The surgeon asked me if I sweat in my classroom and where on my body do I sweat. I told her I sweat in my classroom all day, everyday and all over my body. I missed 7 days of school due to this medical procedure. I am afraid I may get another abscess if the heat continues and will have to go through the pain of surgery again.

Each year, teachers are required to watch a set of DOE mandated videos. In the School Communities video, it is mentioned that "quality school climate, quality relationships and academic achievement go hand in hand-they are highly linked" (1:58). As a teacher in the DOE, I am measured on my teacher effectiveness every year. My students are measured on their learning progress each day. When the heat and noise issues affect my students and me, obtaining high levels of achievement become a challenge. I noticed that when my students are in the air-conditioned (computer room or library), they are more alert and attentive. If my classroom was air-conditioned, I can envision how much teaching and learning can be achieved because I no longer have to deal with the heat and noise issues.

I ask the BOE and the DOE to reexamine the Heat Abatement Priority list and place BPES high on the list. I believe that air-conditioning will make my classroom a quality learning environment. Thank you.

Regards,
Laureen Kawai



Carol Sappington
<csappington@barberspt.k12.hi.us>
10/19/2015 08:28 AM

To boe_hawaii@notes.k12.hi.us
cc
Subject Testimony: Heat Abatement Update
Progress (Barbers Point Elementary)

1 attachment



Carol.Sappington_BOE_testimony_Oct20 (1).docx

Please see attached letter for testimony.

Thank you, Carol Sappington

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**

October 18, 2015

Hawaii State Board of Education
P.O. Box 2360
Honolulu, Hawaii 96813

Re: GBM Agenda Item Update on the DOE Heat Abatement Program since October 6, 2015

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is Carol Sappington and I am a Special Education Teacher at Barbers Point Elementary School (BPES). I am submitting written testimony to Chairperson Lance Mizumoto and Superintendent Matayoshi in regards to the agenda item, Update on Heat Abatement Program, for the Board of Education (BOE) meeting scheduled on October 20, 2015.

I have been a Special Education Teacher at BPES for five years. Over the years, my students, staff, and I have experienced excessive heat, insects (roaches, centipedes, scorpions, bees), dust (from construction of a new neighborhood and lawn mowing), noise (jets, airplanes, helicopters, lawn mowers), and a brush fire in the grass surrounding our school. These concerns have affected my teaching and my students' learning. My students are special education students with special needs. I notice that on the very hot days my students have a more difficult time with controlling their behavior and sustaining attention. Some of my students have medical needs and the heat and dust aggravate these conditions. Although my students are encouraged to drink water throughout the day, they often complain of physical ailments (headaches, stomach aches, tired).

Each year, teachers are required to watch a set of DOE mandated videos. In the School Communities video, it is mentioned that "quality school climate, quality relationships and academic achievement go hand in hand-they are highly linked" (1:58). As a teacher in the DOE, I am measured on my teacher effectiveness every year. My students are measured on their learning progress each day. When the heat and noise issues affect my students and me, obtaining high levels of achievement becomes a challenge. I noticed that when my students are in the air-conditioned rooms (library, computer lab) they are more alert and attentive. If my classroom was air-conditioned, I can envision how much teaching and learning can be achieved because I no longer have to deal with the heat and noise issues.

I ask the BOE and the DOE to reexamine the Heat Abatement Priority list and place BPES high on the list. I believe that air-conditioning will make my classroom a quality learning environment. Thank you.

Regards,

Carol Sappington
Special Education Teacher
Barbers Point Elementary School



Cheryl Slattery
<cslattery@barberspt.k12.hi.us>
10/19/2015 08:34 AM

To boe_hawaii@notes.k12.hi.us
cc
Subject Testimony: Heat Abatement Update
Progress (Barbers Point Elementary)
for Oct.20,2015

1 attachment



Cheryl Slattery_BOE_testimony_Oct20.docx

Please read my attached testimony concerning Heat Abatement. Thank you for your attention to this matter.

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**

October 18, 2015

Hawaii State Board of Education
P.O. Box 2360
Honolulu, Hawaii 96813

Re: GBM Agenda Item Update on the DOE Heat Abatement Program since October 6, 2015

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is Cheryl Slattery and I am a teacher at Barbers Point Elementary School (BPES). I am submitting written testimony to Chairperson Lance Mizumoto and Superintendent Matayoshi in regards to the agenda item, Update on Heat Abatement Program, for the Board of Education (BOE) meeting scheduled on October 20, 2015.

I have been a teacher at BPES for 16 years. Over the years but especially this year, I have experienced extreme heat that caused kindergarten students to actually cry with discomfort affecting my teaching and my students' learning. I have been diagnosed with Thyroid disease, which causes sensitivity to extreme cold and heat. My two wall mounted fans do not provide relief because all they do is push warm air down onto the ground due to the fact they are table fans and are unable to clear the wall in order to face straight out. We also have to deal with aircraft noise, lawnmowers (that I am most certain exceeds the acceptable decibel level causing damage to little ears,) the noise of large container trucks zooming past our school, the constant beep of construction trucks building a new housing are and not too mention the dirt that settles over everything from all of the above mentioned. One year my room was crawling with scorpions. I was stung on my stomach and had a reaction. My principal took a picture of the area and she had to call in specialists from the state to eliminate them from the classroom. Just recently, wasps have been coming into the classroom swooping and diving at children causing them to shriek in distress.

Each year, teachers are required to watch a set of DOE mandated videos. In the School Communities video, reference is made about "quality school climate, quality relationships and academic achievement go hand in hand-they are highly linked" (1:58). As a teacher in the DOE, I am measured on my teacher effectiveness every year. My students are measured on their learning progress each day. When the heat and noise issues affect my students and me, obtaining high levels of achievement become a challenge. I noticed that when my students are in the air-conditioned Library they are more alert and attentive. If my classroom was air-conditioned, I can envision how much teaching and learning can be achieved because I no longer have to deal with the heat and noise issues.

I ask the BOE and the DOE to reexamine the Heat Abatement Priority list and place BPES high on the list. I believe that air-conditioning will make my classroom a quality learning environment. Thank you.

Regards,
Cheryl Slattery



Cheri Nakamura
<cheri.nakamura@gmail.com>

10/19/2015 10:51 AM

To boe_hawaii@notes.k12.hi.us
cc
Subject HE'ETestimony for VII. Item D DOE's
Multi-Year School Calendar at 10/20
General Business Meeting

1 attachment



2015 10 20 HEE BOE School Calendar.pdf

Aloha,

It is Cheri Nakamura, Director of HE'E Coalition. We are submitting testimony for the October 20, 2015 General Business Meeting. It is Agenda Item VII. D. Board Action on Student Achievement Committee recommendations concerning the Department of Education's multi-year school calendar. Testimony is in support of the recommendation.

Please see testimony attached.

Mahalo,
Cheri Nakamura
HE'E Coalition Director

**

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**

841 Bishop St., Suite 301
Honolulu, Hawaii 96813



Telephone: 808 926-1530
Contact@HEECoalition.org

Hawaii Board of Education
General Business Meeting
Lance Mizumoto, Chair
Brian De Lima, Vice Chair

October 20, 2015

Dear Chair Mizumoto, Vice Chair De Lima and Members:

This testimony is submitted in support for the DOE's recommendation on the DOE's Multi-Year School Calendar.

The Hui for Excellence in Education (HE'E) is a diverse coalition of over 40 parent and community organizations dedicated to improving student achievement by increasing family and community engagement and partnerships in our schools. Our member list is attached.

The Coalition was invited to participate in the DOE survey on the School Calendar in April 2015 and has had discussions on this issue at our meetings. Members have expressed concerns about hot classrooms and the impact on transitioning students from the mainland with an early school start. Parents and families have also expressed having a school calendar that minimizes adjustments to their work schedules.

We have reviewed the Student Achievement Committee's recommendation on the school calendar and are supportive of the amendments. We agree with the changes for 2016-2017, namely starting Winter Break on December 22 instead of December 23 and having May 26 be the last day for students. It better balances the semesters and also maintains a priority for students. We also support keeping the 2017-2018 and 2018-2019 calendars as the DOE proposed.

Some of our members were hoping to see a later start date than the beginning of August. However, we understand the desire to end the semester by Winter Break, which means allowing enough instructional days to accomplish this. The biggest positive for families in this recommendation is the effort to maximize the five-day week for students and maintain standard one week and two week breaks for Fall and Spring, and Winter Breaks, respectively. Parents and families, especially working families, do a lot to adjust their work schedules to get their children to school. Therefore, having five-day weeks for students, which aligns with standard work schedules, is helpful and is better for attendance. Additionally, one week Fall and Spring Breaks and a two-week Winter Break also makes it easier for families to accommodate as opposed to longer breaks. We have heard that on Winter Breaks longer than two weeks, families sometimes scramble to make sure their children have the appropriate supervision and care at home.

Thank you for the opportunity to testify. Our support of this policy represents a 75% consensus or more of our voting membership.

Sincerely,

Cheri Nakamura
HE'E Coalition Director

HE'E Member List

Academy 21
After-School All-Stars Hawaii
Alliance for Place Based Learning
*Castle Complex Community Council
*Castle-Kahuku Principal and CAS
Coalition for Children with Special Needs
*Faith Action for Community Equity
Fresh Leadership LLC
Girl Scouts Hawaii
*Good Beginnings Alliance
Harold K.L. Castle Foundation
*Hawai'i Afterschool Alliance
*Hawaii Appleseed Center for Law and Economic Justice
Hawai'i Athletic League of Scholars
*Hawai'i Charter School Network
*Hawai'i Nutrition and Physical Activity Coalition
*Hawaii State PTSA
Hawai'i State Student Council
Hawai'i State Teachers Association
Hawai'i P-20
Hawai'i 3Rs
Head Start Collaboration Office
It's All About Kids
*INPEACE
Joint Venture Education Forum
Junior Achievement of Hawaii
Kamehameha Schools
Kanu Hawai'i
*Kaua'i Ho'okele Council
Keiki to Career Kaua'i
Kupu A'e
*Leaders for the Next Generation
Learning First
McREL's Pacific Center for Changing the Odds

Our Public School

*Pacific Resources for Education and Learning
*Parents and Children Together
*Parents for Public Schools Hawai'i
Punahou School PUEO Program
Teach for America
The Learning Coalition
US PACOM
University of Hawai'i College of Education
YMCA of Honolulu

Voting Members () Voting member organizations vote on action items while individual and non-voting participants may collaborate on all efforts within the coalition. List as of July 2015.*

October 19, 2015

Hawaii State Board of Education
P.O. Box 2360
Honolulu, Hawaii 96813

Re: GBM Agenda Item Update on the DOE Heat Abatement Program since October 6, 2015

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is Dora Anderson and I am a teacher at Barbers Point Elementary School (BPES). I am submitting written testimony to Chairperson Lance Mizumoto and Superintendent Matayoshi in regards to the agenda item, Update on Heat Abatement Program, for the Board of Education (BOE) meeting scheduled on October 20, 2015.

I have been a teacher at BPES for more than 10 years. The classroom is a challenging place. To give you a picture of our challenges, please Imagine your work center with 20 – 30 bodies where the temperature is above 80 degrees Fahrenheit. How productive would you be in such a work center? Besides the stickiness and unease of sweat pouring down each student's face, imagine mosquitoes and other bugs flying in to distract you with bites and buzzing. On some school days, the lawn mower is also very loud and distracting. Students who are elementary school age are not as disciplined as adults to ignore external factors such as these. I believe anyone in such conditions would have poor productivity. It impacts their focus and concentration greatly. It is very challenging to teach them and expect them to be productive amidst such external factors.

I am fortunate to be one of the very few classrooms that have air conditioning. I plead with each member of the board to please recognize the need for air conditioning at Barbers Point Elementary for all classrooms. Each year, teachers are required to watch a set of DOE mandated videos. In the School Communities video, it is mentioned that "quality school climate, quality relationships and academic achievement go hand in hand-they are highly linked" (1:58). As a teacher in the DOE, many teachers are measured on teacher effectiveness every year. Students are measured on their learning progress each day. When the heat and noise issues affect students and teachers, obtaining high levels of achievement become a challenge. I noticed that when my students are in the air-conditioned classrooms they do not take as long to settle down and we can focus on each task at hand. If all classroom were air-conditioned, I can envision how much teaching and learning can be achieved because we no longer have to deal with the heat and noise issues.

I ask the BOE and the DOE to reexamine the Heat Abatement Priority list and place BPES high on the list. I believe that air-conditioning will make my classroom a quality learning environment. Thank you.

Regards,
Dora Anderson

October 19, 2015

Hawaii State Board of Education
P.O. Box 2360
Honolulu, Hawaii 96813

Re: GBM Agenda Item Update on the DOE Heat Abatement Program since October 6, 2015

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is Mariette Lowe and I am a Parent at Barbers Point Elementary School (BPES). I am submitting written testimony to Chairperson Lance Mizumoto and Superintendent Matayoshi in regards to the agenda item, Update on Heat Abatement Program, for the Board of Education (BOE) meeting scheduled on October 20, 2015.

I, like the other BPES community members who had submitted testimony, have concerns regarding the heat and noise issues. Assistant Superintendent Mr. Carlson has communicated with those who submitted testimony last month and explained that BPES is 17th on the priority list. In addition, an engineering consultant will be sent to the school and measure the noise level. While I appreciate his diligence and quick efforts, my concern is that BPES is continually being bypassed for air conditioning installation and moves further down the priority list depending on when and who does the study, and who makes the loudest complaints.

In a 2008 article from the Honolulu Advertiser, BPES was listed as the second highest school with the hottest temperature of 96.5 based on DOE data (see image 1). In the article, then DOE Assistant Superintendent Randy Moore, acknowledged that unique factors such as noise and dust would push up Campbell High School on the priority list. The unique factors at BPES are our location next to Kalaeloa Airport, near an industrial area, and surrounded by vacant parcels (see image 2). Our school has just as much, maybe even more noise, insects, dust, and heat issues as Campbell High School, yet they are currently ranked higher on the Heat Abatement Priority list. In fact three years later in 2011, BPES was no longer listed as one of the hottest schools. Instead, majority of the Campbell complex schools were put on the list even though these schools were not on the list just a few years earlier (see image 3). BPES, like the Campbell complex schools is located on the Ewa Plain. Our school is just as hot as theirs throughout the year.

In conclusion, BPES principal, Mrs. Claudia Nakachi, was interviewed in a Honolulu Advertiser article and stated, "more rooms will be air-conditioned soon" (see image 4). That article was written in 2001. **Fourteen years later and no progress on the installation of air conditioning at BPES has been made.** To me, that rate of progress is completely unacceptable.

Regards,
Mariette Lowe

15 HOTTEST O'AHU SCHOOLS

	MAX TEMP.
Lokelani Intermediate	96.7
Barbers Point Elementary	96.5
Kihei Elementary	96.5
Kaunakakai Elementary	94.4
Ka'iulani Elementary	93.6
Kalākaua Middle	93.6
Kalihi Kai Elementary	93.6
Likelike Elementary	93.6
Moanalua Elementary	93.6
Salt Lake Elementary	93.6
Āliamanu Elementary	93.4
Āliamanu Middle	93.4
Moanalua Middle	93.4
Farrington High	93.4
Shafter Elementary	93.3

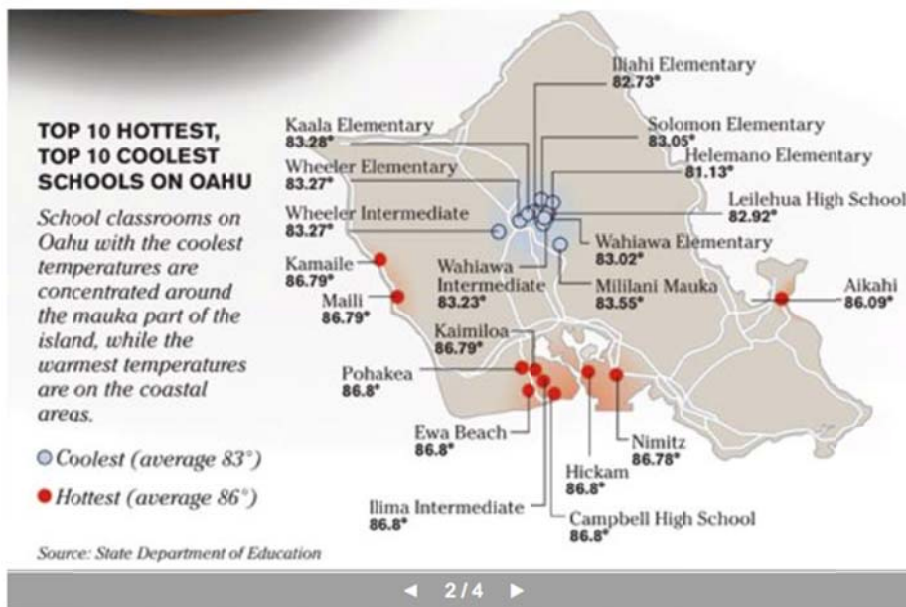
Source: Department of Education

Image 1: 15 Hottest Oahu Schools in 2008

From: <http://the.honoluluadvertiser.com/article/2008/Mar/12/In/hawaii803120414.html>



Image 2: Barbers Point Elementary and Kalaeloa Airport
From Google Maps



[Click here to enlarge.](#)

Image 3: Top 10 Hottest and Coolest Schools on Oahu in 2011

From:

http://www.staradvertiser.com/news/20110131_DOE_seeks_ways_to_cool_classrooms.html?id=114919909

The Barbers Point campus consists of nine buildings linked by a covered lanai. There are seven wings of classrooms, an administration/library building and a cafeteria.

Murals with space themes and Sesame Street characters created by students, artists and teachers line the walkways. Each row of classrooms has its own name, including Cookie Monster Lane, Miss Piggy Lane and Bert Boulevard.

More teachers have been hired and more rooms will be air-conditioned soon, Nakachi said.

- **What are you most proud of?** "I guess its the commitment of the teachers and the staff toward students' learning," Nakachi said. "Barbers Point has the distinction of being the first public elementary school accredited by the Western Association of Schools & Colleges. That shows a lot of dedication on the part of the staff."

- **Best-kept secret:** "We have no secrets," Nakachi said.

- **Everybody at our school knows:** "Our friendly clerk typist Katherine White," the first person to greet everyone at the school.

- **Our biggest challenge:** Adjusting to the changing demographics and the growing population of Kapolei.

- **What we need:** Air-conditioning.

- **Projects:** A fence is about to go up around the entire school. The state just completed installing a new electrical wiring system on campus to allow the school faster Internet connections, better internal communication and the capacity for more air-conditioning.

Image 4: Interview with Mrs. Nakachi, BPES Principal

From: <http://the.honoluluadvertiser.com/article/2001/May/24/In/In14a.html>

October 19, 2015

Hawaii State Board of Education
P.O. Box 2360
Honolulu, Hawaii 96813

Re: GBM Agenda Item Update on the DOE Heat Abatement Program since October 6, 2015, Discussion Item number V, letter A.

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is Rikki Kim and I am a teacher at Barbers Point Elementary School (BPES). I am submitting written testimony to Chairperson Lance Mizumoto and Superintendent Matayoshi in regards to the agenda item, Update on Heat Abatement Program, for the Board of Education (BOE) meeting scheduled on October 20, 2015.

I have been a teacher at BPES for 18 years. Over the years, I have experienced things such as heat, mosquitoes, insects, noise issues, and brush fires that have affected my teaching and my students' learning. Just recently, I had to go to the dermatologist because I developed a heat rash due to the high temperatures.

Each year, teachers are required to watch a set of DOE mandated videos. In the School Communities video, it is mentioned that "quality school climate, quality relationships and academic achievement go hand in hand-they are highly linked" (1:58). As a teacher in the DOE, I am measured on my teacher effectiveness every year. My students are measured on their learning progress each day. When the heat and noise issues affect my students and me, obtaining high levels of achievement become a challenge. I noticed that when my students are in the air-conditioned computer lab or library, they are more alert and attentive. If my classroom was air-conditioned, I can envision how much teaching and learning can be achieved because I no longer have to deal with the heat and noise issues.

I ask the BOE and the DOE to reexamine the Heat Abatement Priority list and place BPES high on the list. I believe that air-conditioning will make my classroom a quality learning environment. Thank you.

Regards,
Rikki Kim
Teacher
Barbers Point Elementary School

October 19, 2015

Hawaii State Board of Education
P.O. Box 2360
Honolulu, Hawaii 96813

Re: GBM Agenda Item V.B Heat Abatement Update (October 20, 2015)

Dear Chair Lance Mizumoto and Members of the Hawaii State Board of Education,

My name is Jennifer Padua and I am a parent and School Community Council Member at Barbers Point Elementary School (BPES). Similar to the October 6th meeting, I would like to address the heat and noise issues at BPES that fall under the Department of Education's (DOE) Heat Abatement Program.

First, I would like to express my appreciation to Assistant Superintendent of Facilities Mr. Dann Carlson for personally responding to my testimony and to the other community members at BPES. Many of us felt our voices were heard and valued. I would also like to thank the Board of Education members for keeping the issue of Heat Abatement on the agenda to ensure that progress is continuing to take place.

Secondly, since the last meeting, I have learned that BPES is 17th on the heat abatement priority list. While that might be considered high on the priority list to some, I also wonder why BPES has fallen down the rank when in reality the heat and noise conditions have become worse. In 2008, BPES classrooms were measured at having temperatures at 96.5 degrees (see attached article, "Students Rally for Air Conditioning"). Then in 2013, BPES was not on the air conditioning list (see attached article, "Campbell High Teachers Complain of Hot Classrooms"). In fact, majority of the 2013 schools were not on the 2008 list. Now in 2015, BPES is 17th on the priority list. My point is that each time the DOE uses a new assessment for heat abatement issues, BPES gets further down the priority list or off the list. If special conditions such as noise and dust that were used to determine needs at one school, then these measures should be used with ALL schools (see attached article, "Students Rally for Air Conditioning"). Changing one or two variables can make a big difference in prioritization. I do appreciate that an engineering consultant has been hired to measure noise levels at BPES; however, this should have been done from the outset due to the fact the school's location is near the Kalaeloa Airport and on the Ewa Plain. Moreover, I hope these noise sensors are being monitored in the same conditions as others schools. For instance, BPES has all one-story buildings. If sensors at other schools are placed on the second or third floor of a building, the air-traffic noise will measure at a louder decibel at those schools than at BPES.

In 2001, Principal Claudia Nakachi stated in a *Honolulu Advertiser* interview that air conditioning was needed and coming soon to BPES (see attached article, "Kalaeloa Expecting Surge"). Fourteen years later, no progress has been made. I ask the BOE and DOE, please do not have the Barbers Point Elementary School community wait another 14 years to have air conditioning installed. I thank you for taking the time to read my testimony.

Sincerely,
Jennifer Padua

Attachments: Articles

Posted on: Thursday, May 24, 2001

Our Schools • Barbers Point Elementary

Kalaeloa school expecting enrollment surge

By **James Gonser**
Advertiser Leeward Bureau

KALAELOA — The biggest challenge facing Barbers Point Elementary School today is adapting to the changing community around it.

The school is on the former Barbers Point Naval Air Station, now called Kalaeloa. Many old Navy buildings and homes have been torn down, leaving the school somewhat isolated.

It has a spacious campus and a highly regarded reputation, but enrollment has dropped significantly since 1999. With the upcoming redistricting of students from Makakilo, that is about to change.



Ashley Gordon, 9; Gavin Kaneshiro, 10; and Jordan Patterson, 10, were among the students attending a recent art fair at the Kalaeloa school. Jeff Widener • The Honolulu Advertiser

While other parts of the nearby "second city" of Kapolei continue to grow, Barbers Point Elementary has been drained of students as many Navy families have moved away. The school, which has a capacity of 790 students, now has an enrollment of only 219.

With crowded conditions at both Mauka Lani and Makakilo elementary schools, the state Department of Education has decided to implement a redistricting plan that will take students from those schools and bus them to Barbers Point.

Up to 85 students who now attend the Mauka Lani school will be bused about six miles to Barbers Point beginning with the next school year, which starts July 25. Next year, a group of students who attend Makakilo Elementary and live in Honokai Hale will be sent to Barbers Point.

Barbers Point principal Claudia Nakachi has been holding a series of orientation sessions for parents and students expected to enter the school next semester.

Keri Magaoay visited the school last week with her daughter during a schoolwide art show to get to know the campus and teachers. Magaoay lives in an area of Makakilo redistricted to Barbers Point.

"I like the set-up here better," Magaoay said. "We've checked out several other schools before the move, and we are willing to try this one for a year."

The Barbers Point campus consists of nine buildings linked by a covered lanai. There are seven wings of classrooms, an administration/library building and a cafeteria.

Murals with space themes and Sesame Street characters created by students, artists and teachers line the walkways. Each row of classrooms has its own name, including Cookie Monster Lane, Miss Piggy Lane and Bert Boulevard.

More teachers have been hired and more rooms will be air-conditioned soon, Nakachi said.

• **What are you most proud of?** "I guess its the commitment of the teachers and the staff toward students' learning," Nakachi said. "Barbers Point has the distinction of being the first public elementary school accredited by the Western Association of Schools & Colleges. That shows a lot of dedication on the part of the staff."

• **Best-kept secret:** "We have no secrets," Nakachi said.

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- **Everybody at our school knows:** "Our friendly clerk typist Katherine White," the first person to greet everyone at the school.
- **Our biggest challenge:** Adjusting to the changing demographics and the growing population of Kapolei.
- **What we need:** Air-conditioning.
- **Projects:** A fence is about to go up around the entire school. The state just completed installing a new electrical wiring system on campus to allow the school faster Internet connections, better internal communication and the capacity for more air-conditioning.


At a glance

- **Where:** 3001 Boxer Road, Kalaeloa
- **Phone:** 673-7400
- **Web address:** www.k12.hi.us/~barbers/BPES4/BPES.html
- **Principal:** Claudia Nakachi, since November 1997
- **School nickname:** Jets
- **School colors:** Red, white and blue
- **Enrollment:** Built for 790 students, the school has an enrollment of 219 this year.
- **SATs:** Here's how Barbers Point students fared on the most recent Stanford Achievement Test. Listed is the combined percentage of students scoring average and above average, compared with the national combined average of 77 percent. Third grade, reading: 86 percent; math: 83 percent. Fifth grade, reading: 80 percent; math: 84 percent.
- **History:** Barbers Point Elementary will celebrate its 50th anniversary in 2004.
- **Special features:** Inside the spacious school grounds are a Hawaiian garden, an art gallery and two playgrounds complete with a baseball field, a basketball court and an assortment of playground equipment.
- **Special programs or classes:** The NASA Challenger Space Center. The \$1 million facility opened in 1993 and includes two rooms that have been converted into a Mission Control and a Space Station. The program was conceived by the families of astronauts killed in the explosion of the Challenger shuttle in 1986, including Ellison Onizuka, Hawaii's first astronaut. Using elaborate re-creations of life in space, students are linked by computer and voice circuits and work through problems, experiments and research that could take place in space.
- **Computers:** A new computer lab will open next year. Computers are also in every classroom.



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Campbell High teachers complain of hot classrooms

Posted: Aug 13, 2013 5:00 PM HST
Updated: Aug 13, 2013 5:06 PM HST

By **Jim Mendoza** [CONNECT](#)

EWA BEACH, OAHU (HawaiiNewsNow) - When the sun beats down on Campbell High School, being inside the Ewa Beach school's classrooms that have no air conditioning is even more uncomfortable than being outside.

"Inside my classroom it was 93 degrees yesterday," teacher Brandy Davis said.

That's five degrees above the posted high of 88. She said many days are sweltering, sticky and uncomfortable.

"Try to imagine teaching in a sauna," said teacher Corey Rosenlee.

Davis said teachers and students are wilting under the heat.

"Students come in and they're lethargic. They're tired, and it's really difficult for them to concentrate," she said.

She bought seven fans for her French class, but all they blow on students is hot air.

"Some of them will just put their heads down," Rosenlee said. "As a good teacher you're doing your best to engage your students, and yet this is something that is so out of your control."

Before Rosenlee moved into one of Campbell's 40 air conditioned classrooms, he was in one of the 98 that have no AC, small windows, and very little ventilation.

"That's an old high school built in 1961," said Ray L'Heureux, Department of Education Assistant Superintendent for School Facilities and Support Services.

He said Campbell is number eight on a list of 25 older campuses he's prioritized for air conditioning. The first four have gotten their AC, some are in the process, while others like Campbell are waiting. L'Heurux said money is tight and air conditioning is folded in with other capitol improvement projects. He will re-examine Campbell's situation.

"If that means we can bring in portable units that will keep that building cool, then we can do that. If we can institute a ceiling fan program real quick, then we can do that," he said.

With nearly 3,000 students Campbell is the biggest high school in the state.

"The heat is compounded and exasperated by the fact that you've got 35 students in a classroom, in a small space, so that makes it even hotter," Davis said.

Some of Campbell's teachers plan to put the heat on lawmakers. They will rally next month at the State Capitol. Rosenlee is urging teachers from other hot campuses to join them.

Here is the current A/C Priority List

1. Kamehameha III (Lahaina)
2. Kihei (Kihei)
3. Lokelani Intermediate (Kihei)
4. Pohakea
5. Hickam
6. Ewa Beach
7. Ililma Intermediate
8. Campbell High
9. Aikahi
10. Maili
11. Kamaile

12. Kaimiloa
13. Nimitz
14. Mokulele
15. Pearl Harbor-Kai
16. Lehua
17. Waimalu
18. Aliamanu
19. Aliamanu Intermediate
20. Waikeolu High



[A reckless life as rocker -- and media ...](#)

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Posted on: Wednesday, March 12, 2008

Students rally for air conditioned classrooms

Video: [Campbell High students head to the Capitol](#)
 StoryChat: [Comment on this story](#)

By **Loren Moreno**
Advertiser Staff Writer

The decades-long argument over air-conditioning Hawaii's public schools took center stage at the state Capitol yesterday when more than 400 students from Campbell High School marched for cooler classrooms.

Only 21 of Hawaii's 258 public schools, excluding charter schools, are fully air-conditioned. Most teachers resort to oscillating fans or handing out wet paper towels to keep students cool and focused.

School officials say the problem is money. There are limited funds — about \$5 million a year — set aside by the state Legislature for air conditioning, while cooling every classroom would cost an estimated \$750 million. At the current rate of funding, that work would take 140 years to complete.

"There just isn't enough money to air-condition every school," said Randy Moore, DOE assistant superintendent.

Campbell teachers and students said, while it may take decades to get to all the schools, their school should be near the top of the list.

"Pack a classroom full of 30 students and make them sit through 100 degrees. Only in Hawaii would we call this a fair and decent education," said Corey Rosenlee, a social studies teacher at Campbell.

In addition to heat, Rosenlee said class time is frequently interrupted by the loud rumbling of commercial jets that pass over the 'Ewa Beach school.

During the rally, the crowd of mostly ninth-grade students voiced their opposition to a revised Department of Education list of schools needing air conditioning that dropped Campbell from No. 7 in priority to No. 70.

"It's hard to concentrate when it's so hot," said Diana Guiang, a freshman at Campbell. She said students often argue over who gets to sit near the fans in the classrooms.

It gets even worse when teachers have to close their doors to block out the noise from the airplanes overhead, she said.

"Other schools have air conditioning, but we have to suffer," said Sabrina Potter, also a Campbell freshman.

'OUR SCHOOL IS HOTTER'

A study released in November found temperatures at Campbell can reach a high of 88 degrees — a



About 400 Campbell High students, mostly freshmen, marched at the state Capitol to draw attention to their hot classrooms.

Photos by RICHARD AMBO | The Honolulu Advertiser



At the rally, Campbell High students also protested a revised Department of Education list that lowered their school's priority for air conditioning.

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number Campbell teachers and students question.

"We have concrete evidence that our school is hotter," Rosenlee said.

Rosenlee said that some teachers took their own temperature measurements of classrooms and found it can get as hot as 99 degrees.

"The results (of the DOE's priority list) are flawed," said Rep. Kymberly Pine, R-43rd ('Ewa Beach, Iroquois Point, Pu'u'loa). "We live in the hottest place in the whole state."

Pine is pushing a bill that would appropriate \$12 million for air conditioning at Campbell.

Moore said the current list of hottest schools should not be seen as a final priority list.

"Because that list does not consider noise and dust, it will not be used to make a determination of who gets air conditioning," he said. "The list only looks at heat and it should not be interpreted as the definitive list."

He acknowledged Campbell has a unique problem with noise and even dust from the dry 'Ewa plains, factors that would likely push Campbell up in priority.

SPREADING THE MONEY

Moore said the DOE is looking at ways to spread limited heat-abatement money around to as many schools as possible.

DOE officials say they are studying less expensive ways to cool schools, from reflective roofs to sun-shading devices, to vents and ceiling fans.

The DOE is currently conducting a pilot project at 'Ewa Beach Elementary and Kahuku High & Intermediate Schools, where various heat abatement options are being tested, including solar ventilation and extra insulation.

The results of those projects will determine how DOE officials decide to proceed with cooling schools, Moore said. While air conditioning remains an option, Moore said the DOE must examine energy-saving alternatives as well.

Reach Loren Moreno at lmoreno@honoluluadvertiser.com.

• • •

15 HOTTEST O'AHU SCHOOLS

MAX TEMP.

Lokelani Intermediate	96.7
Barbers Point Elementary	96.5
Kihei Elementary	96.5
Kaunakakai Elementary	94.4
Ka'iulani Elementary	93.6
Kalākaua Middle	93.6
Kalihi Kai Elementary	93.6
Likelike Elementary	93.6
Moanalua Elementary	93.6
Salt Lake Elementary	93.6
Āliamanu Elementary	93.4
Āliamanu Middle	93.4
Moanalua Middle	93.4
Farrington High	93.4
Shafter Elementary	93.3

Source: Department of Education

...

 StoryChat

From the editor: StoryChat was designed to promote and encourage healthy comment and debate. We encourage you to respect the views of others and refrain from personal attacks or using obscenities.

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HAWAII STATE ETHICS COMMISSION

State of Hawaii • Bishop Square, 1001 Bishop Street, ASB Tower 970 • Honolulu, Hawaii 96813

October 20, 2015

Mr. Lance Mizumoto, Chairperson
Mr. Brian De Lima, Vice Chairperson
Honorable Members of the Board of Education
Queen Liliuokalani Building
1390 Miller Street, Room 405
Honolulu, Hawaii 96813

Re: **Testimony on Agenda Item VII.C. Board Action on 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 findings and recommendations**

Meeting: Tuesday, October 20, 2015, 5:00 p.m.
Queen Liliuokalani Building
1390 Miller Street, Room 404
Honolulu, Hawaii 96813

The State Ethics Commission thanks the Board of Education's Investigative Committee for including the State Ethics Commission in the Committee's discussion of travel involving Department of Education teachers and students. The State Ethics Commission appreciates the opportunity to offer comments to the Committee's report dated October 6, 2015 ("Report").

A. The Ethics Code Issues

As the Board of Education is aware, the State Ethics Commission believes that, because of the manner in which certain student educational trips are currently organized and arranged, the State Ethics Code likely prohibits teachers from accepting free travel from tour companies. To help educate the public about the issue and to explain the application of the State Ethics Code to the free travel offered to teachers, the Commission issued Advisory Opinion No. 2015-1, dated August 19, 2015, a copy of which is attached.

The Commission's Advisory Opinion related to trips where teachers, in their DOE capacities: selected a private tour company, in many instances without obtaining quotations from or considering other companies; designed and organized the trip itinerary with the tour company; decided which teachers would travel with the students; and promoted the trip to the students and their parents using promotional material prepared by

Mr. Lance Mizumoto, Chairperson
Mr. Brian De Lima, Vice Chairperson
Honorable Members of the Board of Education
October 20, 2015
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the tour company, including solicitation letters signed by the teacher on the tour company's letterhead. Typically, the tour company offered teachers one free travel package for every six or 10 students who paid for the trip. The tour company also offered some teachers an all-expense paid weekend trip to New York City or a similar mainland destination for a group leader orientation hosted by the tour company.

Through their efforts, teachers generated substantial revenue for the tour company and were, essentially, "rewarded" for their efforts in the form of free travel and other benefits from the company. The dual role as DOE teacher and tour company representative placed a teacher in an apparent conflict of interest under the State Ethics Code and raised concerns under several other provisions of the statute, including the gifts and fair treatment laws.

The State Ethics Commission does not question the educational value of such trips. The Commission also understands that teachers who serve as chaperones on the trips take on many additional work responsibilities. The Commission's concerns pertain to the way the trips are currently organized and arranged, where the teachers who organize and promote the trips receive free travel from the tour companies they select.

The Committee's recommendation that all trips should be either "private" or "school-sponsored" appears, in general, to address many of the State Ethics Commission's concerns.

More specifically, for "school-sponsored" trips, the requirement that the tour companies be selected in accordance with the State Procurement Code likely removes those teachers who may chaperone the students from the selection process. Similarly, it appears that the DOE and/or the school will be responsible for the teachers' travel expenses. Stated differently, it is the Commission's understanding that the Committee does not expect teachers to receive free travel or other benefits directly from the tour company for school-sponsored trips.

For "private" trips, teachers who may travel as chaperones apparently will do so outside of their official duties as DOE teachers and in their private capacities, i.e., not as DOE employees. The State Ethics Commission's concerns about the travel, generally, were because teachers were taking action and receiving the free travel in their official DOE capacities.

B. Fundraising

For a school-sponsored trip, the State Ethics Commission assumes that the DOE and/or the school will be responsible for the cost of the teachers' travel.

Mr. Lance Mizumoto, Chairperson
Mr. Brian De Lima, Vice Chairperson
Honorable Members of the Board of Education
October 20, 2015
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Based on that assumption, the State Ethics Code does not prohibit the DOE, the school, or the teachers from fundraising to pay for or to offset the DOE's/school's costs associated with the teachers' travel expenses. The State Ethics Commission cautions that any solicitation or other fundraising activities cannot be "coercive." Moreover, ethics concerns may arise where a school solicits monetary donations from a vendor or where a teacher solicits funds from his/her students and/or their parents.

If teachers are responsible for their own travel costs, whether as part of a school-sponsored trip or a private trip, fundraising may raise issues under the State Ethics Code. Whether a fundraising activity complies with the State Ethics Code depends on the particular facts.

For school-sponsored trips, the State Ethics Commission will review the DOE's fundraising guidelines to ensure that the guidelines are consistent with the State Ethics Code. The State Ethics Commission also is available to assist teachers who have questions regarding fundraising for private trips to ensure that the teachers' fundraising activities comply with the State Ethics Code.

C. Cancellation of Existing Trips

The Report, in Item 7.b., refers to existing trips being "cancelled." The State Ethics Commission understood that the Committee believed that existing trips must be cancelled and that the teachers and parents must reorganize the trips as private trips.

Teachers who, in their DOE capacities, participated in selecting a tour company, developing the trip itinerary with the tour company, and promoting the trip to parents and students, and engaged in other activities pertaining to the trip in their DOE capacities, likely are prohibited by the State Ethics Code from accepting free travel from the tour company. Merely "re-labeling" a pending trip to be a "private trip" likely does not "cure" any State Ethics Code issues.

However, if the existing trip is cancelled and the parents and/or teachers reorganize the trip as a "private trip" in accordance with the rules established by the Board of Education and any procedures the Department of the Attorney General deems necessary, the ethics concerns likely will be addressed.

Finally, Item 9 of the Report, pertaining to existing trips that are cancelled where fundraising for the trips has occurred, states that teachers must contact both the DOE and the State Ethics Commission for guidance regarding funds collected. The State Ethics Commission believes that questions regarding funds collected are more appropriately

Mr. Lance Mizumoto, Chairperson
Mr. Brian De Lima, Vice Chairperson
Honorable Members of the Board of Education
October 20, 2015
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addressed by the DOE, in consultation with the Department of the Attorney General.

Thank you for considering the State Ethics Commission's comments.



HAWAII STATE ETHICS COMMISSION

State of Hawaii • Bishop Square, 1001 Bishop Street, ASB Tower 970 • Honolulu, Hawaii 96813

ADVISORY OPINION NO. 2015-1

The Hawaii State Ethics Commission (“Commission”) has learned that it is a longstanding practice for Department of Education (“DOE”) teachers and other DOE employees (collectively, “teachers”) who serve as chaperones on student educational trips to be offered free travel and other benefits from tour companies through which the teachers plan and organize these trips.

The State Ethics Code, Chapter 84, Hawaii Revised Statutes (“HRS”), prohibits teachers from accepting free travel and other benefits from tour companies for serving as chaperones on student educational trips, where the teachers are directly involved in planning a trip and selecting a tour company to help organize the trip, promoting the trip to students and their parents, deciding who will chaperone the students, and/or requesting DOE approval of the trip.

I. Facts

Based on the Commission’s understanding of the facts, a teacher or group of teachers plans and organizes an educational trip for students. The trips that are the subject of this Advisory Opinion (also referred to as “student educational trips”) are organized and arranged as follows:

- The teachers decide to offer students the opportunity to participate in an educational trip and decide on a particular destination.
- The trip usually relates to a particular subject such as history or foreign language. The trip is not mandatory or a required part of the curriculum but, rather, an “enrichment” activity offered to interested students and their parents.
- The trip usually is scheduled to occur around the time of a school break, such as Spring Break or summer.
- Teachers who are interested in and/or willing to accompany the students and serve as chaperones plan and organize the trip.
- The teachers select a particular tour company to help organize the trip. When selecting the tour company, the teachers do not appear to follow formal state procurement procedures. The choice of tour company appears to be based on the teachers’ own subjective criteria.

- The teachers select a particular tour package offered by the tour company or work with the tour company to develop a trip itinerary.
- The teachers generate interest in and promote the trip to students and their parents. Typically, this involves meeting with the parents and disseminating and presenting informational and promotional material about the trip prepared by the tour company.
- The tour company may prepare a letter to the students' parents from a particular teacher, on the tour company's letterhead, to generate interest in the trip. The teacher's name may appear as the signatory of the letter. In addition to providing information about the trip, the letter may include an endorsement of the tour company by stating that the teacher chose that particular tour company due to the quality and affordability of that company's services.
- The tour company may also prepare a PowerPoint slide show promoting the trip, which the teachers present at an informational meeting with parents. The slide show may bear the tour company's logo and identify a particular teacher as the person who will be leading the student travel group. The tour company customarily offers one free travel package to a teacher per a certain number of paying travelers. For example, for a trip to the East Coast, the ratio may be one free travel package per 10 paying travelers; whereas for a trip to Europe, the ratio may be one free travel package per six paying travelers.
- The travel package typically covers airfare, hotel accommodations, meals, overnight hotel security, illness and accident insurance coverage, entrance fees to the sites visited, and gratuities. Some tour companies provide emergency and/or other types of assistance during the trip as part of the travel package.
- The fair market value of a teacher's travel package is several thousand dollars, e.g., \$3,500 or more for a tour of East Coast cities, and \$5,500 or more for a tour of European countries.
- Travelers who must pay for the trip include the students, parents who want to accompany their children on the trip, and other members of the students' families, if they are invited to join the travel group. Paying travelers also may include a teacher's spouse and/or family members.
- The tour company may also offer a teacher additional benefits. For example, the tour company may offer a teacher who will be leading a student travel group for the first time a free weekend "orientation" trip to the mainland, to experience a tour firsthand and obtain additional information from the tour

company. The tour company may also offer a teacher a stipend for the trip, "points" that can be earned and applied toward obtaining other benefits from the tour company, or a personal gift, such as an iPad.

- The students may conduct fundraising activities to help pay for their travel expenses.
- Teachers must obtain approval for the trip from their school principal and complex area superintendent. In requesting the approval, the teachers must articulate an educational purpose for the trip.

II. Application of the State Ethics Code

Based on the Commission's understanding of how student educational trips are currently organized and arranged, it is the Commission's opinion that the State Ethics Code prohibits teachers from accepting free travel and other benefits from the tour companies. Several sections of the State Ethics Code apply.

A. Gifts Law, HRS section 84-11

The gifts law, HRS section 84-11, prohibits an employee from soliciting, accepting, or receiving any gift, including travel, under circumstances where it can reasonably be inferred that the gift is intended to influence the employee in performing the employee's official duties or is intended to reward the employee for official action.¹ Because the gifts law is based on an appearance of impropriety, it is immaterial whether the employee is actually influenced by the gift or whether the donor of the gift actually intended to influence the employee. If it appears to a reasonable person that the gift is given to influence or reward the employee for official action, the employee is prohibited from accepting the gift.

¹ HRS section 84-11 states:

No legislator or employee shall solicit, accept, or receive, directly or indirectly, any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing, or promise, or in any other form, under circumstances in which it can reasonably be inferred that the gift is intended to influence the legislator or employee in the performance of the legislator's or employee's official duties or is intended as a reward for any official action on the legislator's or employee's part.

“Official action” is “a decision, recommendation, approval, disapproval, or other action, including inaction, which involves the use of discretionary authority.”² Official action includes providing input to decisions even if one is not the final decision maker, exercising judgment, expressing opinions, giving advice, and taking other action that is non-ministerial in nature.

Teachers who participate in planning and organizing a student educational trip engage in official action that includes: selecting a tour company with which to plan and organize the trip, planning the trip itinerary, promoting and recommending the trip to students/parents, deciding who will chaperone the students, and requesting DOE approval for the trip by justifying the purpose of the trip to the principal and complex area superintendent.

The Commission believes it is reasonable to infer that the free travel and other benefits offered to teachers by a tour company are intended as both an incentive for the teachers to promote the trip to as many students/parents as possible and a reward for the teachers’ efforts in generating revenue for the tour company. Therefore, the free travel and other benefits are prohibited gifts.

In the Commission’s view, the “educational purpose” of the trip that may be proffered by the teachers does not outweigh or negate the inference that free travel and other benefits are intended to influence or reward the teachers for official action.

Many teachers have emphasized that the trip is a “working trip” for them, and they do not construe the free travel and other benefits provided to them by a tour company as “gifts.” The Commission does not doubt that a teacher who serves as a chaperone takes on additional work responsibilities. At the same time, however, the free travel package has substantial monetary value that provides a personal benefit to the teacher by allowing the teacher to travel for free. Additional personal benefits the teacher may receive from a tour company also have significant monetary value. The Commission emphasizes that the free travel and other benefits constitute prohibited gifts because of the way the trips are currently organized and arranged.

B. Gifts Reporting Law, HRS section 84-11.5

The gifts reporting law, HRS section 84-11.5, requires an employee to report a gift to the State Ethics Commission on a gifts disclosure statement filed by June 30 of each year, if: (1) the value of the gift or gifts received from a single source, singly or in the aggregate, exceeds \$200; (2) the source of the gift has interests that may be affected by official action by the employee; and (3) the law does not exempt the gift

² HRS section 84-3.

from the reporting requirement.³ A teacher who accepts a free trip and other benefits from a tour company for serving as a chaperone on a student educational trip must report these items on a gifts disclosure statement.

The Commission emphasizes that reporting the free travel and other benefits on a gifts disclosure statement does not mean that the teacher was allowed to accept them

³ HRS section 84-11.5 states:

- (a) Every legislator and employee shall file a gifts disclosure statement with the state ethics commission on June 30 of each year if all the following conditions are met:
 - (1) The legislator or employee, or spouse or dependent child of a legislator or employee, received directly or indirectly from one source any gift or gifts valued singly or in the aggregate in excess of \$200, whether the gift is in the form of money, service, goods, or in any other form;
 - (2) The source of the gift or gifts have interests that may be affected by official action or lack of action by the legislator or employee; and
 - (3) The gift is not exempted by subsection (d) from reporting requirements under this subsection.
- (b) The report shall cover the period from June 1 of the preceding calendar year through June 1 of the year of the report.
- (c) The gifts disclosure statement shall contain the following information:
 - (1) A description of the gift;
 - (2) A good faith estimate of the value of the gift;
 - (3) The date the gift was received; and
 - (4) The name of the person, business entity, or organization from whom, or on behalf of whom, the gift was received.
- (d) Excluded from the reporting requirements of this section are the following:
 - (1) Gifts received by will or intestate succession;
 - (2) Gifts received by way of distribution of any inter vivos or testamentary trust established by a spouse or ancestor;
 - (3) Gifts from a spouse, fiancé, fiancée, any relative within four degrees of consanguinity or the spouse, fiancé, or fiancée of such a relative. A gift from any such person is a reportable gift if the person is acting as an agent or intermediary for any person not covered by this paragraph;
 - (4) Political campaign contributions that comply with state law;
 - (5) Anything available to or distributed to the public generally without regard to the official status of the recipient;
 - (6) Gifts that, within thirty days after receipt, are returned to the giver or delivered to a public body or to a bona fide educational or charitable organization without the donation being claimed as a charitable contribution for tax purposes; and
 - (7) Exchanges of approximately equal value on holidays, birthday, or special occasions.
- (e) Failure of a legislator or employee to file a gifts disclosure statement as required by this section shall be a violation of this chapter.
- (f) This section shall not affect the applicability of section 84-11.

from the tour company. In other words, if the free travel and other benefits were prohibited gifts in the first place, reporting them on a gifts disclosure statement does not "cure" a violation of the gifts law.⁴

C. Fair Treatment Law, HRS section 84-13

The fair treatment law, HRS section 84-13, prohibits an employee from using or attempting to use the employee's official position to secure unwarranted advantages or benefits for himself or herself or anyone else. A teacher's personal and direct involvement in selecting a particular tour company to help organize a trip, promoting the trip, deciding that he or she will serve as a chaperone, and securing DOE approval for the trip raises concerns that the teacher may be misusing the teacher's official position to secure free travel and other personal benefits for himself or herself. Under these circumstances, the free travel and other benefits appear to be unwarranted benefits the teacher obtains in violation of HRS section 84-13.

D. Conflicts of Interests Law, HRS section 84-14

When an employee takes official action that personally benefits the employee, concerns arise that the employee's state work is influenced by personal interests. This undermines public confidence in government. The State Ethics Code is intended to prevent an employee from being involved in official action that places the employee in a conflict of interest with his or her state position.

1. HRS section 84-14(a)(2)

HRS section 84-14(a)(2), part of the conflicts of interests law, prohibits an employee from taking official action directly affecting a private undertaking in which the employee is engaged as a representative or in some other agency capacity.⁵

A trip that a teacher organizes and arranges through a particular tour company using the tour company's letterhead, PowerPoint presentation, and/or other promotional material prepared by the tour company appears to be a private undertaking in which the teacher in essence is a representative of the tour company. By taking official action directly affecting this undertaking in his or her capacity as a teacher, i.e., selecting the

⁴ See HRS section 84-11.5(f).

⁵ HRS section 84-14(a)(2) states:

No employee shall take any official action directly affecting . . . [a] private undertaking in which the employee is engaged as legal counsel, advisor, consultant, representative, or other agency capacity.

tour company, planning the trip itinerary, promoting the trip, deciding who will serve as chaperones, and/or requesting DOE approval of the trip, the teacher has a conflict of interest under HRS section 84-14(a)(2). Under these circumstances, the teacher's acceptance of free travel and other benefits from the tour company is prohibited under the State Ethics Code.

HRS section 84-14(d)

HRS section 84-14(d), another part of the conflicts of interests law, prohibits an employee from assisting or representing a business for compensation on a matter in which the employee participates or will participate in the employee's state capacity, or on a matter before the employee's own state agency.⁶

In the Commission's view, the free travel and other benefits a teacher receives from a tour company is "compensation"⁷ for assisting or representing the tour company on a matter in which the teacher participates in his or her DOE (state) capacity. By promoting the trip to the students and their parents, the teacher assists or represents the tour company in generating revenue for the tour company and is "compensated" by the tour company for these efforts. The teacher also is "compensated" for securing approval for the tour company's trip from the DOE, i.e., assisting or representing the tour company on a matter before the DOE.⁸ The teacher's acceptance of free travel and other benefits from the tour company under these circumstances is a conflict of interest and, therefore, prohibited under HRS section 84-14(d).

⁶ HRS section 84-14(d) states:

No legislator or employee shall assist any person or business or act in a representative capacity for a fee or other compensation to secure passage of a bill or to obtain a contract, claim, or other transaction or proposal in which the legislator or employee has participated or will participate as a legislator or employee, nor shall the legislator or employee assist any person or business or act in a representative capacity for a fee or other compensation on such bill, contract, claim, or other transaction or proposal before the legislature or agency of which the legislator or employee is an employee or legislator.

⁷ HRS section 84-3 defines "compensation" as "any money, thing of value, or economic benefit conferred on or received by any person in return for services rendered or to be rendered by oneself or another."

⁸ It is possible that the free travel and other benefits (i.e., "compensation") a teacher receives from a tour company may be considered as "income" the teacher earns for services rendered. The Commission notes that the Internal Revenue Service ("IRS") may recognize the fair market value of the free travel and other benefits as "income" the teacher must report to the IRS for tax purposes. See Taxable and Nontaxable Income, Publication 525 (2014), Department of the Treasury, IRS.

III. Upcoming Trips

The Commission is aware that teachers have been offered free travel and other benefits by tour companies for a number of upcoming trips that are scheduled or are being planned, including trips for which students have already paid. For the reasons discussed above, the teachers are prohibited from accepting the free travel and other benefits from the tour companies.

The State Ethics Code does not prohibit the trips from occurring, nor does the State Ethics Code prohibit the teachers from serving as chaperones on the trips. However, if the teachers are directly involved in planning and organizing the trips with the tour companies and engage in the official action described above, the State Ethics Code prohibits the teachers from accepting free travel and other benefits from the tour companies.

IV. Trips That Already Occurred

The Commission is aware that teachers have received free travel and other benefits from tour companies for trips that already occurred. The Commission has decided to take no administrative action⁹ against teachers for accepting free travel and other benefits from tour companies for student educational trips that already occurred. However, in accordance with the gifts reporting law, teachers who accepted free travel and other benefits from the tour companies must report the travel and other benefits that they received on a gifts disclosure statement filed with the Commission.¹⁰

V. Summary

The Commission emphasizes that the State Ethics Code does not prohibit student educational trips from occurring, nor does the State Ethics Code prohibit teachers from serving as chaperones on these trips. However, the State Ethics Code prohibits the teachers from accepting free travel and other benefits from the tour

⁹ The Commission may take administrative action by issuing a charge against an employee for alleged violations of the State Ethics Code. A charge commences formal proceedings against an employee that may lead to an administrative hearing and penalties that may include a fine. See HRS section 84-31.

¹⁰ The Commission issued a memorandum to all teachers, dated August 4, 2015, which addresses trips that already occurred. The memorandum states that the Commission will take no administrative action against teachers for accepting free travel and other benefits from tour companies for student educational trips that were completed before July 31, 2015. The memorandum also explains that teachers who accepted free travel and other benefits from tour companies after June 1, 2014, must file a gifts disclosure statement with the Commission to report those gifts.

companies if the teachers engage in official action vis-a-vis the tour companies as described above. In short, because of the way the trips are currently organized and arranged, the State Ethics Code prohibits teachers from accepting free travel and other benefits from the tour companies.

The Commission has offered to assist the DOE in reviewing policies and procedures to address the State Ethics Code concerns associated with the teachers' acceptance of free travel and other benefits, including possible ways to fund the teachers' travel for upcoming student educational trips.

Dated: Honolulu, Hawaii, August 19, 2015.

HAWAII STATE ETHICS COMMISSION



Susan N. DeGuzman, Chair



David O'Neal, Vice Chair



Ruth D. Tschumy, Commissioner



Melinda Wood, Commissioner



Reynaldo D. Graulty, Commissioner

10/20/2015

Good Evening Board Chair Mizumoto, and members of the BOE.

My name is John Sosa. I retired from the DOE after serving for 45 years, mostly as a teacher, vice- principal, and principal, but I also served for years as a Deputy District Superintendent and District Superintendent.

My last three months of employment were spent on Directed Leave from the Department. To be blunt, it was pure hell.

I was abruptly placed on Directed Leave more than two years ago, on September 23, 2013. I was in Washington D.C. to receive a Principal of the Year award when I received a call from my direct Supervisor. He said I was being placed on directed leave and investigated for allegations of fraud. He added that he did not know what I was supposed to have done wrong. He said he had been instructed to tell me that I was not to return to my school.

That was it.

I knew I had done nothing wrong—at least not knowingly—and was unaware of any previous indication from the Superintendent or her staff that I had done anything to warrant this action. There had been no questions; no expressions of displeasure; no communications whatsoever about any alleged wrongdoing ... other than the phone call.

By the time I arrived home the Star-Advertiser and other media outlets were on the case and it was widely reported that I had been removed from my school. Readers would assume that I had done something terrible. Why else would the Superintendent have me removed from my school?

I spent the next three months racking my brains: What could I have done that could be construed as fraud? I had been banished from my school. I felt humiliated, angry, worried, and isolated.

I tried to find out what was going on, but my direct supervisor continued to say that he knew nothing more about any of this than I did.

After three months of waiting for this to end, I decided to retire. I was 71 years old and for the first time in my professional life, I had lost the passion to serve.

When I met with my direct supervisor to tell him of my decision to retire, I asked if he had heard anything about my case. His response shocked me: the investigation had not even started!

I asked for a meeting with the Deputy Superintendent and Superintendent, but they declined. They said that such a meeting could “jeopardize the investigation”

Several weeks later a DOE investigator called. When asked several clarifying questions, she said she would have to call back. That was more than a year and a half ago, and it is the last time I heard from her or the DOE.

As I sit here today, I still have no idea what the specific allegations against me were, or whether the DOE ever bothered to conduct an investigation. I do know that my case was referred to the Attorney General's Office. On August 28, 2015, I was informed that the AG's office was no longer involved and no action would be forthcoming from that office. I remind you that this ordeal began more than two years ago.

I ask now that this Board direct the Superintendent to send me a letter indicating that no fraud was found and that the case is closed. An apology would be nice but I unless it is genuine, I'd rather do without.

I also ask that the Board look into the Directed Leave process and thoroughly review the School Code 5000 series, specifically regulation 5411 which allows the state Superintendent to place any DOE employee on Directed Leave for up to 10 days *with unlimited extensions*. This regulation is not new, but Superintendent Matayoshi's increased use of this provision, and the methods she has used to implement it, has not just ended my career, it has sent a deep chill across the system.

I have been encouraged to sue the DOE, but I ask myself why? By the end of the lawsuit the person(s) who did this to me will be long gone, and probably long forgotten. Any damages paid to me would come out of resources intended to educate children.

Rather than a pound of flesh for myself, I ask only that you take steps to eliminate the abuse of Section 5411, and to ensure due process in all future investigations.

None of what happened to me can be undone, but you as a board can prevent others from having to endure what I have gone through. Hopefully it would also help to change the climate of distrust and fear that now permeates this department.

Thank you for your time.