

Governor David Ige issued a [Twentieth Supplementary Proclamation dated May 7, 2021](#), suspending Hawaii Revised Statutes Chapter 92, Public Agency Meetings and Records, to enable boards to conduct meetings without any board members or members of the public physically present in the same location.

The Board of Education will be holding virtual meetings until further notice. Go to <http://boe.hawaii.gov/Pages/ListenLivetoBoardMeetings.aspx> for information on how to listen to these virtual meetings.



**STATE OF HAWAII  
BOARD OF EDUCATION  
GENERAL BUSINESS MEETING**

MEMBERS

Shanty Asher    Kaimana Barcarse    Margaret Cox    Lynn Fallin

Kili Namau'u    Dwight Takeno    Bruce Voss

Hunter Harris (student representative)

Colonel Angenene Robertson (military representative)

Catherine Payne, Chairperson  
Kenneth Uemura, Vice Chairperson

NOTICE OF MEETING

Thursday, May 20, 2021

1:30 p.m.

**Virtual Meeting**

**Register to join the WebEx Meeting Online:**

<https://hideoe-events.webex.com/hideoe-events/onstage/g.php?MTID=e4039228ef0336e5ce72d6e322b472ba9>

Meeting number: **182 789 2648**

Meeting password: joinmeeting

**Join by phone:**

1-844-992-4726 Call-in toll-free number (US)

Meeting Access Code: **182 789 2648**

Attendee ID Number: #

## AGENDA

### **I. Call to Order**

### **II. Executive Session**

*This portion of the meeting is a closed meeting under Section 92-4 and Section 92-5(a)(4) and(3), Hawaii Revised Statutes.*

***There will be no audio on WebEx while the Board is in executive session.***

***The Board is planning on exiting executive session no later than 2:45 p.m.***

- A.** Consultation with the Board's attorney on questions and issues pertaining to the Board's power, duties, privileges, immunities, and liabilities relating to Fukushima v. State of Hawaii Board of Education (CV 20-00582 DKW-KJM and 3CCV-20-0000481), Tudela v. State of Hawaii Board of Education (1CCV-21-0000482), and Kam v. State of Hawaii Board of Education (3CCV-21-0000088)
- B.** Deliberation concerning the authority of Board of Education ("Board")  
Member authorized to represent the Board in successor bargaining with the Hawaii State Teachers Association (Bargaining Unit 5) and consultation with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities concerning successor bargaining

### **III. Approval of Meeting Minutes of February 18, 2021 Special Meeting, February 18, 2021 General Business Meeting, March 4, 2021 General Business Meeting, March 18, 2021 Special Meeting, April 15, 2021 Special Meeting, April 15, 2021 General Business Meeting, April 15, 2021 General Business Meeting (executive session)**

### **IV. Reports of Board of Education ("Board") Committees, Board Members, and Superintendent**

- A.** Human Resource Committee Report on: **(1)** Committee Action on recommendation concerning State Librarian's employment contract; **(2)** Committee Action on recommendation concerning Hawaii Employer-Union Health Benefits Trust Fund ("EUTF") adjustments for Department of Education employees excluded from Collective Bargaining
- B.** Finance and Infrastructure Committee Report on: **(1)** Update on the Department of Education's biennium operating budget request for fiscal years 2021-2023: Legislative conference committee decisions and next steps; **(2)** Update on the Department of Education's biennium Capital Improvement Project ("CIP") budget request for fiscal years 2021-2023: Legislative conference committee decisions and next steps
- C.** Update on Investigative Committee (a permitted interaction group pursuant to Hawaii Revised Statutes, Section 92-2.5(b)(1)) concerning nomination of individuals to serve as members of State Public Charter School Commission: reopening of application window

- D. Investigative Committee (a permitted interaction group pursuant to Hawaii Revised Statutes, Section 92-2.5(b)(1)) investigating issues relating to the search for a superintendent, including transition timeline and process, recommendation for an interim superintendent, search timeline and process, and composition of group conducting search: findings and recommendations on composition of group conducting search

**V. Action Items**

*NOTE: Testimony relevant to each agenda item will be taken before the Board considers the item.*

- A. Board Action on Human Resources Committee recommendation concerning State Librarian's employment contract
- B. Board Action on Human Resources Committee recommendation Hawaii Employer-Union Health Benefits Trust Fund ("EUTF") adjustments for Department of Education employees excluded from Collective Bargaining
- C. Board Action on findings and recommendations of Investigative Committee (a permitted interaction group pursuant to Hawaii Revised Statutes, Section 92-2.5(b)(1) investigating issues relating to the search for a superintendent, including transition timeline and process, recommendation for an interim superintendent, search timeline and process, and composition of group conducting search: timeline and process for selecting and transitioning to an interim superintendent and searching and selecting a permanent superintendent
- D. Board Action on matters relating to Fukushima v. State of Hawaii Board of Education (CV 20-00582 DKW-KJM and 3CCV-20-0000481), Tudela v. State of Hawaii Board of Education (1CCV-21-0000482), and Kam v. State of Hawaii Board of Education (3CCV-21-0000088)

**VI. Late Public Testimony on Board Agenda Items**

*NOTE: Anyone who missed the opportunity to testify before the relevant agenda item will be allowed to testify at the end of the meeting.*

**VII. Adjournment**

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Written testimony may be submitted on any agenda item and is strongly encouraged as the primary means of submitting testimony. Anyone wishing to testify orally must sign up in advance using the form posted here:

<http://boe.hawaii.gov/Pages/Submit-testimony.aspx>. Please note that you will need to register and log in to Webex to testify orally. Testimony over the phone will not be accepted at this time.

Meeting material is available online at [boe.hawaii.gov](http://boe.hawaii.gov).

Audio of this meeting will be broadcast live. Video of the meeting participants will not be broadcast. Contact the Board Office for information on how to access this broadcast.

Persons requiring an auxiliary aid/service or other accommodation due to a disability should contact the Board Office at [BOE.Hawaii@boe.hawaii.gov](mailto:BOE.Hawaii@boe.hawaii.gov) or at (808) 586-3334 as soon as possible. Requests made as early as possible will allow additional time to fulfill your request. We will try to obtain the accommodation, but we cannot guarantee that the request will be fulfilled.

A handwritten signature in black ink that reads "Catherine Payne". The signature is written in a cursive style with a large, sweeping flourish at the end.

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Catherine Payne, Board Chairperson