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**Testimony**

2 messages

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**Angel DeSoto** <desotoa24@knights.k12.hi.us>  
To: testimony.boe@boe.hawaii.gov

Thu, Dec 21, 2023 at 12:45 PM

Aloha

I am Angel desoto from James B castle high school. I am a student in the class of 2024. I am here to state my support to include the Hawai'i National holiday Lā Kū'oko'a in Hawai'i's public school curriculum. I support the teaching of Lakuakoa because it represents an affirmation of identity and joyful pride in being a part of the lahui of Hawai'i. This was a day where Hawaiians would celebrate who they are and their culture but was replaced with thanksgiving. It turned into a majorly forgotten Hawaiian holiday. Lā Kū'oko'a is a Hawaiian Kingdom holiday that commemorates the independence of the Hawaiian Nation. This is the only time Hawaii was recognized to be an independent place. Like most of Hawaiian history it was forgotten. Lā Kū'oko'a is a very important day that most of the youth like me do not know of at all. The facts of this holiday are not from my knowledge or the school I had to learn them from the internet of my culture. Hawaiian history is mandatory but why not the day that we Hawaiians were declared independent like it is not also a crucial day in our history. I would like for Lā Kū'oko'a to be a mandatory project to pass Hawaiian history like the ptp but only graded by the history teacher. Just a slideshow of how it happend, when, where, who contributed and what is the importance of the holiday. When Hawaiian culture is fading, why not try to teach the young people who will go out to influence the future. Teaching the young about culture is how to keep culture alive. If we knew more we would become better kanaka in the future. For these reasons I think Lā Kū'oko'a should be incorporated into the curriculum.

Sincerely Angel Desoto

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**Testimony BOE** <testimony.boe@boe.hawaii.gov>  
To: desotoa24@knights.k12.hi.us

Thu, Dec 21, 2023 at 1:01 PM

Thank you for contacting the Board of Education (Board). This email address is specifically designed to receive public testimony for upcoming Board meeting agenda items. Attached please find the links to the most recent agendas for the Board's Meeting scheduled for Thursday, December 21, 2023. Please identify what agenda item your testimony is related to or it will not be listed as public testimony.

[December 21, 2023 General Business Meeting \(hawaii.gov\)](#)

Mahalo,  
Board of Education Staff

[Quoted text hidden]

## **General Business Meeting**

**December 21, 2023**

**Testimony: Susan A. Pcola-Davis**

Warren Haruki, Chairperson, Kaimana Barcarse, Vice Chairperson  
Shanty Asher, Bill Arakaki, Kahele Dukelow, Ken Kuraya,  
Lauren Moriarty, Makana McClellan

### **V. Committee Reports**

- Finance and Infrastructure Committee report on December 7, 2023, meeting

SUBJECT	QUESTION	ANSWER
<b>Lapsing Funds</b>	WHY wasn't this on the agenda for December 7, 2023?	_____
	WHY isn't it on today's agenda?	_____
	When did the Board Chair, Mr. Haruki know?	Date: _____
	When did the superintendent know?	Date: _____
	When did Curt Otaguro know?	Date: _____
	When did the Board know?	Date: _____
<b>Fiduciary Responsibilities</b>	Does the Board policy and FIC Committee Charter clearly spell out what is required?	Yes
	The Department and the Board are both complicit and also need to answer, "How could this happen?"	Explanation: _____
<b>Department of Education</b>	Who is watching the hen house?	Superintendent <input type="checkbox"/> Board Chair <input type="checkbox"/>
	Who was responsible for overseeing Tanaka?	Superintendent Curt <input type="checkbox"/>
<b>Board of Education</b>	<b>Board Chair:</b> With your business background and a reason for your appointment, how did you miss this?	_____
<b>FIC Committee Charter</b>	Do FIC Committee members possess or have all obtained basic ability in financial matters?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	When was the last time committee members read the	Date: _____

	sections on authority and responsibilities?	
<b>State Government</b>	When does the State do an audit?	
	When does the Attorney General take notice?	
	How is Tanaka still working in State Government?	

Star Advertiser: The least that the department **owes the public is a clear explanation** of what's gone wrong with its projected timeline for all these projects, a rationale it should deliver without delay.

**PUBLIC TESTIMONY REGARDING FACILITIES CIP AND DEFERED MAINTENANCE BACKLOG**

In numerous testimonies last year and this past year whenever Facilities, Mr. Tanaka presented, I used the Facilities Portal to develop my testimonies.

Again, testimonies ignored. Several times I suggested that Board members visit this portal. This is where the answers are! Always have been!

As a member of the public testifying actively and consistently, this is an indicator of not

“...taking into consideration before taking action on any agenda item.” [Board Bylaws Public Testimony. Section 7.1]

Tanaka was allowed to monitor and develop his own Budget! It was provided to the Assistant Superintendent of Finance, to be **plugged** into the Budget, as is, no questions.

Based on the next two tables (date 12/18/2023), what is the story?



**FACILITIES DASHBOARD**

CIP: Status of appropriations

CIP FUNDS BREAKDOWN	
Obligated CIP Funds	\$898,481,709.95

CIP Funds Lapsing 6/30/2024		\$910,933,318.71
	B&F	\$465,000,000.00
	<b>LOSS</b>	<b>445,933,318</b>
CIP Funds Lapsing 6/30/2026		\$343,258,333.97
<b>TOTAL UNSPENT CIP FUNDS</b>		\$2,152,673,362.63

**FACILITIES ASSESSMENT MANAGEMENT (FAM) DASHBOARD**

DISTRICT JOBS (Total \$)		\$508,128,327.65
DISTRICT JOBS IN PROGRESS		\$ 91,214,779.18
	<b>DELTA</b>	\$419,913,548.47
DISTRICT JOBS READY TO PO		\$ 64,744,239.00
DISTRICT JOBS PO		\$282,836,185.95
<b>TOTAL WHAT?</b>		\$ 34,758,424.95

**BOARD POLICIES**

POLICY E-400 BOARD OF EDUCATION GOVERNANCE

The Board of Education shall carry out its constitutional mandate to enact statewide educational policy in a manner **that provides adequate oversight** of the public schools and public library system and supports community engagement. Rationale: The Board's duties and responsibilities are determined by the Constitution. [Approved: 05/19/2015]

POLICY 400-1 BOARD OF EDUCATION ROLES AND RESPONSIBILITIES

13. **Periodically conduct Board self-assessment.**

**BOARD OF EDUCATION  
FINANCE AND INFRASTRUCTURE COMMITTEE CHARTER**

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**I. PURPOSE**

The Finance and Infrastructure Committee ("Committee") is responsible for assisting the Board of Education ("Board") in fulfilling its policy-making, support, and oversight responsibilities relating to:

- A. Financial operations and the financial condition of the Department of Education ("Department");
- B. Facilities and physical infrastructure; and
- C. Other Department support services, including food service, student transportation, and safety, security, and emergency preparedness.

The Committee shall conduct reviews, receive reports, provide direction to the Department, and make recommendations to the Board concerning matters within its scope of responsibility.

**IV. AUTHORITY**

- A. The Committee has the authority to conduct investigations into any matters within its scope of responsibility and obtain advice and assistance from the Hawaii State Department of the Attorney General, accountants, or other advisors, as necessary to perform its responsibilities.
- B. In carrying out its responsibilities, the Committee also has the authority to meet with and seek any information it requires from the Department and its employees, Board Members, or external parties.
- C. The Committee further has the authority to approve and adopt the reports, reviews, and other documents submitted to it as the Committee deems necessary and appropriate. The Committee will provide its recommendation to the Board regarding approval and adoption of the reports, reviews, and other documents.

**V. RESPONSIBILITIES**

To fulfill its responsibilities, the Committee will endeavor to engage in the following activities:

- A. Review and recommend modifications to system resource allocation strategies as needed to achieve the Board and Department's Joint Strategic Plan ("Strategic Plan") goals and objectives.
- B. Determine the adequacy, condition, and use of existing facilities and technology infrastructure.
- C. Review and recommend a long range physical planning and technology infrastructure policy or master plan.

**BOARD OF EDUCATION  
FINANCE AND INFRASTRUCTURE COMMITTEE CHARTER**

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- D. Review projections of future facility and technology infrastructure needs and requirements including capital programs and deferred maintenance.
- E. Review the annual operating budget for adequate and appropriate funding levels for plant operations, maintenance of the physical facilities at an acceptable condition with an understood degree of deferred maintenance and technology infrastructure.
- F. Review and recommend new, or changes to existing, financial policies and procedures to ensure compliance with state law and regulation and promote greater efficiency and effectiveness.
- G. Review and recommend new, or changes to existing, financial policies and procedures to ensure that the appropriate Strategic Plan goals are supported.
- H. Review and recommend the Biennial and Supplemental Operating and Capital Budgets to the Board.
- I. Review and recommend the annual Department spending plans and allocation of state appropriations to the Board.
- J. Monitor financial performance of the Department, as a whole, and its component parts against budget, economic and industry trends and benchmarks.
- K. Review and recommend to the Board the operating and capital plans that support the successful implementation of the goals and objectives of the Strategic Plan.
- L. Annually review and report to the Board the progress of the implementation of the Department's operating and capital plans.
- M. Review and recommend to the Board approval of meal price increases that exceed the minimum required by statute.
- N. Review and recommend to the Board approval of school bus fare increases.

## MY REFERENCES

Excerpts from Written testimonies from December 7, 2023 FIC

1. How many times can a project continue to be pushed back? Do our children and school employees not deserve better? In addition, how is it that the DOE is surrendering \$465 million in school improvements and upgrades? This money was earmarked for specific projects that now our students, OUR FUTURE LEADERS, will lose out on. How is this possible? And more importantly so, WHY is this acceptable? These Capital Improvement Plans were submitted for a reason.

Civil Beat reports on

### [Official Overseeing Hawaii School Facilities Is Out Amid Funding Controversy](#)

[36](#) Comments

Randall Tanaka's departure follows frustrations and concerns around the management of the DOE's facilities.

By [Megan Tagami](#) / December 7, 2023

Randall Tanaka's departure follows the department's controversial plan to lapse \$465 million in capital improvement projects that would have supported improvements ranging from new classrooms to play structures on school campuses. The facilities and operations branch held an internal meeting on Thursday morning during which the department announced that Tanaka had been terminated from his position.

- ⊗ The state Department of Budget and Finance issued a written statement Tuesday explaining that "DOE approached B&F several months ago and flagged that close to \$900M in CIP funds were scheduled to lapse on June 30, 2024."



- ☹ “The DOE has had two or three years to encumber the money but has not done so,” it said. “Discussions were ongoing between B&F and DOE for several months and the lapse number that was finally decided between B&F and DOE was \$465M.”

In addition to his current role as deputy superintendent of operations, Curt Otaguro will temporarily take on Tanaka’s responsibilities.

SOME Civil Beat COMMENTS:

It’s obvious now director Hayashi is way over his head in the leadership needed for his current position. He was super as a principal at Waipahu hs. Maybe that’s where he belongs.

From my understanding, superintendent Hayashi didn’t get along with Randall Tanaka, Assistant Superintendent as Hayashi felt he was being undermined on this issue and therefore it delayed to where the end results of what we are reading about in CB.

Now, if this happened between Superintendent Hayashi and Mr. Tanaka how can we be assured the right decisions are being handled fairly regarding the students as well as the faculty, Don’t get me wrong, there has been some progress since Mr. Hayashi took over as Superintendent, But with this happening is there more that should concern us ?

The "lapse" isn't in facilities. The lapse is in competency.

Back in May, Hayashi’s self evaluation which was part of the annual performance review should have included this critical issue of backlogged capital improvement projects. The BOE needs to raise the bar in what kinds of goals Hayashi sets for himself as it is apparent that his focus has not been on the right priorities. Top school officials are highly paid, and given raises despite failing to meet what they were hired to do in the first place. Unfortunately it took too long for such incompetency to be acted on, and now it is too late to save those much needed projects from being axed!

Following the developments of this story it's confusing. Saiki initially appeared outraged, scheduled a hearing, and then cancels it. Tanaka steps down. Meanwhile, Hayashi, Tanaka's boss, gets a raise, inch worming himself towards Timmy Chang, the top paid state employee? And all Hayashi has promised is that he'll work on it. Meanwhile the \$465M lapses.

His predecessors Kishimoto, Hamamoto, Matayoshi seemed to have all taken worse criticism by the BOE and State? What's going on here???

## VI ACTION ITEMS

### H. SUPERINTENDE EVALUATION

Part 2 - Assessment of progress toward meeting **targeted goals**.

- **Targeted Goal 2** - Optimization of **real estate** in support of safe, well maintained, compliant, clean, and attractive schools to provide a positive and inviting learning environment for students and staff.

This targeted goal is to **assess status of ownership of school lands** to inform prioritization of investments in school lands for educational purposes.

*Examples of evidence include: a list of existing and obligated land inventory and conveyances, as well as criteria for prioritizing conveyance of parcels to the Department. Develop a process engineering approach for repairs and maintenance, and capital improvement projects, with the goal of reducing the backlog in both areas.*

Of these four targeted goals, this one baffles me. In all the time I have been participating in the Board of Education I have never seen anything like this. Please help me to understand. Mr. Haruki, you worked for Maui Land and Pineapple for 14 years and I think you continue to serve as senior advisor.

From my google search, Maui Land & Pineapple Company, Inc. (ML&P) is a landholding and operating company dedicated to agriculture, resort operation and the creation and management of holistic communities.

It's like mixing your real estate background into the DOE. This does not seem kosher.

Help me understand this targeted goal. You, Mr. Haruki, are the one with the land background. You do not work for the DOE. See how I can get confused.

So why would the Superintendent be having this ORE on his evaluation?

I googled conveyance of parcels and I found this "The term conveyance refers to the act of [transferring property](#) from one party to another. The term is commonly used in [real estate](#) transactions when buyers and [sellers](#) transfer ownership of land, building, or home.

Is our superintendent in Real Estate or Education? This also feels like a conflict of interest for you, Mr. Haruki. Is it? It appears to me that your past with ML&P is getting mixed into his evaluation. When I think about this I have read references to you with Paul Cheng, a real estate mogul on Maui.

Last time I spoke of fairness. But this isn't about fairness, is it? I can't put my finger on it but there is something.

Maybe, Board members will get clarity on this. It wasn't clear last meeting either.