

Susan Pcola-Davis

BOARD OF EDUCATION

JANUARY 11, 2024

FIC MEETING

**STATE OF HAWAII
BOARD OF EDUCATION
FINANCE AND INFRASTRUCTURE COMMITTEE**

MEMBERS:

Bill Arakaki Kaimana Barcarse Warren Haruki Makana McClellan Lauren Moriarty

Ken Kuraya, Committee Chairperson

A. [Review of status of Department capital improvement projects](#)

COMMENTS:

I cannot add much to the He'e written testimony. Members of the board who have been here for awhile like Kaimana, Lauren, Ken, and Bill have heard me testify on the portal a number of times and requested access. Shouldn't be anything to hide, now.

Facilities has had the tools to be successful for a couple of years. The Facilities Portal bares witness to that.

For our new Facilities manager, I suggest that all aspects of the portal be made public and not require a login. Make it read only oir allow the public to have a read only login.

I guarantee you will not have to provide many. Eventually the Legislators will ask for it also.

B. [Update on status of schools' fire alarm systems.](#)

COMMENTS

- All Department schools have Emergency Action Plans for each school campus. For schools in the process of completing a fire alarm system replacement, each school has specific interim measures in place until their systems become operable.
- The Department has consulted with Honolulu and Maui County Fire Departments as well as leading Fire Alarm consultants and providers to discuss wireless solutions for fire alarm systems. At this time, the consensus is that the lack of certain products on the market essential for compliance will not meet national school code requirements.

As of December 28, 2023, there are 11 schools utilizing a fire watch plan for their campus due to inoperable systems. Below are the status of each project.

School	Project Name	Project Status	Construction Contract Cost
Heeia Elementary	Fire Alarm System Replacement	In Construction	\$1,590,660
Kahuku High & Intermediate	Fire Alarm System Replacement	In Construction	\$1,413,620

School	Project Name	Project Status	Construction Contract Cost
Kaunualii Elementary	Fire Alarm System Replacement	In Construction	\$1,189,190
Laie Elementary	Fire Alarm System Replacement	In Construction	\$562,709
Pearl City High	Fire Alarm System Replacement	In Construction	\$1,798,378
Sunset Beach Elementary	Fire Alarm System Replacement	Pre-Construction (Contract Awarded)	\$902,842

School	Project Name	Project Status	Estimated Construction Cost
Kainalu Elementary	Fire Alarm System Replacement	Permit Submitted	\$700,000
Kapaa High	Fire Alarm System Replacement	Design: Final	\$2,404,905
Kapalama Elementary	Fire Alarm Control Panel Replacement	Procurement: Pre-Bid	\$75,000
	Fire Alarm System Replacement	Design: Final	\$1,500,000
Konawaena Elementary	Fire Alarm Control Panel Replacement	Procurement: Pre-Bid	\$75,000
	Fire Alarm System Replacement	Design: Preliminary	\$1,500,000
Solomon Elementary	R&M Design Service Contract *Repair due to water damage from roof leak	Scoping	TBD Pending Scope

There are 8 Elementary schools, 1 Intermediate and 2 High Schools.

- Are parents aware?
- Have the schools mitigated the property by removing dry brush, grass and other combustible things.

- Has the fire department visited EACH school to recommend mitigation strategies?
- **I am not confident that these 11 schools are safe.**

Each of these schools are MANDATED to have a designated FIRE WATCH with NO OTHER DUTIES.

Provide a list of names of identified fire watch assignments for each school identified.

Date of training

List of competencies required.

What is a Fire Watch, and How to Conduct One

(Source: [What is a Fire Watch, and How to Conduct One - Vanguard \(vanguard-fire.com\)](http://vanguard-fire.com))

You rely on your fire safety equipment and protocols to protect you in an emergency.

You've likely invested in fire suppression technology and alarm systems that are designed to save life and property during a fire. But what if a fire happens during an unexpected outage or system maintenance?

For many facilities, especially organizations that don't have hours of closure or whose residents can't evacuate quickly or safely — like hospitals or senior care facilities — this situation could end very badly.

Fortunately, a protocol exists to keep residents, patients, visitors, workers, and the property protected from fire danger, even if the fire safety system is temporarily out of commission — a fire watch.

What is a fire watch and how does it work? Let's get into it.

What is a Fire Watch?

NFPA Standard LS.01.02.01 requires that facilities provide protection for occupants of the building during the time the Life Safety Code is not met, including during maintenance or construction. During these times, the fire department must be notified, **and a fire watch initiated.**

A fire watch is a period of time when a group of dedicated staff continually circulate through the affected area of the building looking for signs of fire.

Part of the watch includes notifying the fire department or other emergency response group and documenting when that notification occurs, as well as noting the times the rounds are conducted by the fire watch staff.

When is a Watch Needed?

Any lapse in the facility's fire protection system must be covered by a fire watch to protect people in the building. This includes the fire alarm system, fire suppression, and sprinkler system, or other life-protecting fire safety measures.

Whether a planned or unplanned outage, **if it lasts more than 4 hours** (cumulative) over a 24-hour period, the building must be evacuated or a watch must be called. For example, if a whole zone is out on a fire alarm system or a valve must be closed on a sprinkler system for more than 4 hours, action must be taken.

How to Conduct a Fire Watch

Per NFPA Life Safety Code A.9.6.1.8, a fire watch requires staffing beyond the normal operation level. Staff must include individuals who are trained in fire prevention and fire department notification techniques, and who are confident operating a fire extinguisher.

The staff should have no other responsibilities than circulating through the affected area and looking for signs of fire and checking to make sure that fire escapes, exits, alarm systems, and other elements of the building's fire safety system remain unobstructed, functioning, and available if needed.

Cameras can be used to supplement the fire watch, **but cannot be used in place of human staff**. Camera equipment lacks the senses of smell, hearing, and perception for what conditions may produce a fire.

TRAINING

It's important to be prepared for a fire should the situation occur in your facility — not only to comply with NFPA standards but also to ensure the health and safety of everyone in your facility and the building itself.

Thorough fire safety training can help your employees to feel confident in case a fire emergency arises — from conducting a fire watch to notifying the fire department, to properly using a fire extinguisher. **Be sure to test their training using regular but varied fire drills.**

SAC Testimony

I. Discussion Items

C. Discussion regarding Act 24, Session Laws of Hawai'i 2022 (House Bill 1848, Relating to Student Journalism)

OPPOSE

The two suggested options come from a non journalistic points of view. This is exactly why the Acxt was written. To stop this nonsense. Why did the legislature feel it necessary to write this bill? Do you know why?

I went back into the 2022 archives and read all the testimonies from the 4 hearings. What you are proposing is not in line with the Act.

Cant you just use the verbiage from HRS **[\$302A-451]**?

There were 4 hearings:

February 3, 2022 33 pages of favorable testimony.

February 24, 2022 26 pages of favorable testimony.

March 16, 2022 13 pages of favorable testimony.

March 21, 2022 34 pages of favorable testimony.

This one hit my heart:

"...What is true, however, is that, without this bill, administrators are censoring the First Amendment rights of student journalists in Hawaii. While my students do not face censorship, in my role with JEA, I hear stories of Hawaii administrators whose actions show they do not trust student journalists and their advisers.

- A high school administrator did not allow the student media to run an opinion piece about the n-word. Here are the last sentences of that piece: "The n-word should always be a huge social taboo because of its historical origin and usage; however, society is beyond the point of that. If certain individuals want to continue using the word, then the general public must learn how to comprehend its given context to react in an appropriate manner." This is a nuanced reflection on an issue that matters.

- A high school administrator didn't want editorials published unless they were in Pro/Con format. Two that gave the adviser and staff the most difficulty: an editorial about how a student hates Thanksgiving and an editorial criticizing Trump's cabinet picks.

- A high school administrator asked the following questions during prior review with the adviser: "Why is this phrased this way? Why is this article about things that Trump has

done called a ‘quick and dirty run down’? Some of these measures didn’t pass so why report on them? Why is this statistic phrased this way? Why is this the title of this article?”

- In a high school that has prior review, the administrator held on to the paper so long that the student staff decided it was too late to send it to the printer, so they published that issue online only.
- A high school journalism adviser had been attending meetings which included discussion of student press rights legislation but stopped attending for fear of angering administration
- A high school newspaper is required to produce a “community issue,” which is public relations, not journalism.
- A college newspaper didn’t cover an issue for fear it would get their adviser in trouble. What is also true is that student journalists serve an important role in our democracy.”

DOE Point of view of existing Board Policy

Board Policy 101-9 School-Sponsored Student Publications (Attachment A) is the Department’s existing student journalism policy. By analyzing the content of the existing policy against the requirements of Act 24, SLH 2022, as well as other student journalism policies, the Department realized that while the existing policy does meet some of the requirements delineated by Act 24, SLH 2022, the policy does not meet all of the legislative requirements.

THE INTENT OF ACT 24

SECTION 1. This Act shall be known and may be cited as the Hawaii Student Journalism Protection Act.

SECTION 2. The legislature finds that states may enhance the protections guaranteed by the First Amendment of the United States Constitution through state laws, rules, and regulations. The legislature further finds **that student journalists attending Hawaii public schools and colleges need additional protection against censorship, and that advisors need additional**

protections against retaliation for refusing to illegally censor student journalists.

The purpose of this Act is to establish the Hawaii Student Journalism Protection Act in order to:

- (1) Allow student journalists at public schools and colleges to exercise freedom of speech and freedom of the press in school-sponsored media; and
- (2) Protect advisors from retaliation for refusing to infringe upon student press freedom.

The board shall adopt a written policy for the exercise of the right of student journalists to freedom of speech and the press in school-sponsored media in accordance with this section; provided that the policy shall include:

- (1) Reasonable provisions for the time, place, and manner of distribution of student expression; and
- (2) A procedure for the timely appeal of decisions made pursuant to this section.

Report Title:

Student journalism; School-sponsored Media; University-sponsored Media; Freedom of Press

Description:

Establishes freedom of press protections for student journalists producing school-sponsored media or university-sponsored media unless subject to certain exceptions.

HRS [§302A-451] Student journalists; school-sponsored media. (a) A student journalist shall be allowed to exercise freedom of speech and freedom of the press in school-sponsored media and shall not be disciplined for acting in accordance with this section. A student journalist shall be responsible for determining the news, opinion, feature, and advertising content of school-sponsored media.

(b) Nothing in this section shall be construed to prevent a student media advisor from teaching professional standards of English language use and journalism to student journalists or determining grades and credit for those purposes.

(c) Nothing in this section shall be construed to authorize or protect student expression that:

- (1) Is libelous or slanderous;
- (2) Constitutes a clearly unwarranted invasion of personal privacy;
- (3) Violates state or federal law;
- (4) Is obscene; or
- (5) So incites students as to create a clear and present danger of the commission of an unlawful act, the violation of lawful school or board policies, or the material and substantial disruption of the orderly operation of the school; provided that the determination of a risk of material and substantial disruption shall be based upon specific facts, including past experience at the school and current events influencing student behavior, and not on undifferentiated fear or apprehension of disturbance.

(d) There shall be no prior constraint of material prepared for school-sponsored media except as provided in subsection (c). **School officials shall have the burden of showing justification without undue delay before a limitation of student expression under this section and shall establish a reasonable period of review for material prepared for school-sponsored media. If the period of review elapses without a decision, the material prepared for school-sponsored media shall be considered authorized.**

(e) No publication or other expression of material by student journalists in the exercise of rights under this section shall be deemed to be an expression of the school, board, or department. No state agency, member of the board, officer of the department, or employee of any agency or the board shall be held responsible in any civil or criminal action for the publication or other expression of material by student journalists in the exercise of rights under this section or the First Amendment of the United States Constitution.

(f) A student media advisor shall not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against for:

- (1) Acting to protect a student journalist engaged in conduct protected under this section or the First Amendment to the United States Constitution; or
- (2) Refusing to infringe on conduct that is protected by this section or the First Amendment to the United States Constitution.

(g) The board shall adopt a written policy for the exercise of the right of student journalists to freedom of speech and freedom of the press in school-sponsored media in accordance with this section; provided that the policy shall include:

- (1) Reasonable provisions for the time, place, and manner of distribution of student expression; and
- (2) A procedure for the timely appeal of decisions made pursuant to this section.

(h) For the purposes of this section:

"School-sponsored media" means any material:

- (1) Prepared, written, published, or broadcast in any media by a student journalist at a school;
- (2) Distributed or generally made available, either free of charge or for a fee, to members of the student body; and
- (3) Prepared under the direction of a student media advisor, regardless of whether the material is supported financially by the school or by use of facilities of the school or produced in conjunction with a class for which the student is enrolled.

"School-sponsored media" does not include material intended for distribution or transmission for classroom purposes only.

"Student journalist" means a student who determines, gathers, compiles, writes, edits, photographs, records, or prepares information or advertising for inclusion in school-sponsored media.

"Student media advisor" means an individual employed, appointed, or designated by a school to supervise or provide instruction relating to school-sponsored media. [L 2022, c 24, §3]

- D. Review and Discussion of Strategic Plan, Desired Outcome 3.2.2, Action Item 4, "Align schools' academic plan templates with the strategic plan and integrate multiple planning requirements, as appropriate"



Testimony

1 message

Ashley Henion <hstahype.ahenion@gmail.com>
To: testimony.BOE@boe.hawaii.gov

Thu, Jan 11, 2024 at 10:11 AM

Dear Hawaii BOE Members,

My name is Ashley Henion and I work at Kainalu Elementary School. I'm writing to express concern with the lack of fully functional fire alarm systems in our public schools.

My school has not had a proper working fire alarm since before I started here. It is my eighth year and the alarm worked during only ONE fire drill back in 2017. This is disgraceful and concerning. It is risking the students and our own lives safety by not having proper fire alarms that work. This also worries me because of the way it has been getting by, it's hard to hear. I am partially deaf and I can't hear it all the time so it's concerning to me and makes me feel unsafe about fires. I spoke to the administration and through the 3 different principals that have been here, no one has been able to have the system fixed. We have been waiting on various parties to fix the system. It has taken a very long time for this to be addressed. My job is to teach and not try to fix the fire alarms as I am not a firefighter nor someone who has knowledge in how to fix these types of things.

In November 2023 the DOE reported to have 28 systems in need of repair, which is unacceptable. Several schools in Windward District do not have fully functional alarm systems. While schools without a proper working system have plans for emergency evacuation in place, many plans would not sufficiently notify all students and staff in case of a genuine emergency. This is dangerous.

Safety in Hawai'i's public schools should always be our first priority. How can students learn in an unsafe environment? How can faculty and staff work in an unsafe environment? With the devastating impacts of the Maui wildfires still fresh in our minds, fire safety needs to be a priority in our schools.

I'm urging the BOE to make safety a priority and fix broken systems.

Mahalo, _

Ashley Henion

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