



Testimony of Sylvia M. Hussey, Ed.D.  
Ka Pouhana, Chief Executive Officer

Hawai'i State Board of Education  
General Business Meeting

AGENDA ITEM VI.H: BOARD ACTION ON MEMORANDUM OF UNDERSTANDING  
BETWEEN STATE OF HAWAII BOARD OF EDUCATION AND HAWAII STATE  
TEACHERS ASSOCIATION (SY 2020-2021 COVID-19 RESPONSE): 2017-2021  
CONTRACTUAL MODIFICATIONS AND CONDITIONS OF WORK RELATED TO  
COVID-19 RESPONSE FOR BARGAINING UNIT 5 EMPLOYEES

July 23, 2020

1:30 p.m.

Virtual Meeting

The Administration of the Office of Hawaiian Affairs (OHA) respectfully urges your careful consideration of the requests by the Hawai'i State Teachers Association (HSTA) and many others, to **delay the reopening of our public schools until safety protocols, guidance, and alternatives have been more clearly developed and communicated to the educators, families, and students of our Department of Education (DOE) school system.**

**As an initial matter, OHA notes that the COVID-19 pandemic and the potential spread of the SARS-CoV-2 virus in our schools and in the community is a matter of significant concern to Native Hawaiians.** 2018 school year data indicate that Native Hawaiian students make up 24% of the student body in our DOE school system, and 25% of the total students in our overall public school system;<sup>i</sup> accordingly, any COVID-19 outbreak in our public schools is likely to expose a significant proportion of Native Hawaiian students to the disease. Native Hawaiians are also more likely to live in crowded, multigenerational households,<sup>ii</sup> and any exposed or infected students may be less able to be isolated from other family members, including kūpuna or other vulnerable individuals; exposed or infected family members may likewise have difficulties isolating themselves from students.<sup>iii</sup> Notably, Native Hawaiians in general are more likely to suffer from co-morbidities known to increase the risk of serious illness resulting from COVID-19,<sup>iv</sup> and family members with such pre-existing medical conditions may also be particularly vulnerable, should members of their household be exposed or infected at school. More widespread outbreaks in the community, resulting in whole or in part from school reopenings, may also impact our islands' overall healthcare capacity, and the ability of many such Native Hawaiians and others to access needed medical services. **Accordingly, the Native Hawaiian community has a heightened interest in ensuring that our DOE schools are able to prevent or mitigate the spread of COVID-19 to the greatest extent possible.**

OHA does appreciate that many DOE schools have in fact adopted school reopening plans that reflect, to varying degrees, guidelines from the Center for Disease Control and Prevention (CDC) and other guidance;<sup>v</sup> nonetheless, concerns raised by the HSTA and others indicate that there may still be a lack of sufficiently clear safety protocols, guidance, and

alternatives to mitigate the potential for outbreaks and the impacts of COVID-19 exposure or spread in our DOE schools. Of note are concerns regarding an **apparent lack of clarity or consistency on facemask protocols, including for younger grades and during recess; lack of clarity regarding military family members exempt from the 14 day quarantine; lack of clarity regarding procedures after exposure or a positive COVID-19 test result, such as notification of families and requirements for the testing or isolation of siblings and other household members; the need for more trainings and resources to accommodate distance learning for vulnerable students, or students living with vulnerable individuals; and the need for more time to explore and assess experiences from other jurisdictions as well as alternative approaches, such as outdoor instruction areas, that may further mitigate the risk of COVID-19 infection.**<sup>vi</sup> There may also be a need to assess the degree to which schools have been able to meaningfully inform families, including those with linguistic barriers and economic challenges, regarding the importance of fulfilling their roles in preventing the potential exposure, introduction, or spread of students and faculty to COVID-19, such as with regards to ensuring that students are able to practice appropriate face mask usage, hand washing, and social distancing,<sup>vii</sup> and that students are kept home when they present with any indication of illness, even and especially mild symptoms that could indicate a high risk of virus transmission.<sup>viii</sup> **Accordingly, in light of the continuing concerns and questions raised by the HSTA and others, OHA does believe it prudent for the Board to consider delaying the August 4, 2020 school reopening date so that these concerns can be more fully addressed, and that safety protocols, guidelines, and alternative approaches to minimize the potential for a COVID-19 outbreak can be more fully developed and communicated to all employees, families, and students in our public school system.**

As an entity deeply invested in the well-being of Native Hawaiian children, OHA does recognize the education of our keiki as among our highest priorities. Accordingly, OHA does not necessarily oppose school reopenings as an important and necessary action to further the educational and developmental needs of public school students. **However, delaying the planned reopening to provide further time to ensure that safety protocols, guidelines, and alternatives are more fully developed and communicated may be critical to ensuring that students are able to maximize their educational experience, and avoid the significant negative repercussions of unnecessary exposure to or infection by SARS-CoV-2 – which in itself could be significantly disruptive to the educational and developmental experiences of students.** More time to train teachers and identify or develop resources to ensure greater access to distance learning will also ensure a better educational experience for students who learn from home. Additional time may also allow for the incorporation of “lessons learned” from other jurisdictions, and other epidemics, for public school reopenings, in furtherance of educational goals. Therefore, OHA does believe that allowing for additional time before schools reopen may only serve to further the educational and development interests of Native Hawaiian and other keiki in our public school system.

As a Native Hawaiian-serving organization, OHA further appreciates that reopening schools is intended to allow more parents to return to work, which may in turn reduce the significant and particular impacts economic the pandemic has had and will have on the Native Hawaiian community.<sup>ix</sup> Accordingly, OHA again does not oppose school reopenings. **However, providing schools with additional time to develop clearer and more fully**

**developed safety protocols, guidelines, and alternatives can help reduce employment disruptions from the avoidable exposure or infection of students returning to school, who must then be isolated and presumably kept at home with their parents for the requisite quarantine period.** Allowing more time for protocols and guidelines to be communicated to parents and the broader community will also let parents, employers, and policymakers know what to expect in terms of such potential employment disruptions, and to plan accordingly. **Moreover, any increase in COVID-19 infection rates due to avoidable outbreaks in our school system may have an overall dampening effect on local consumer activity and the local economy, quelling any benefit that may arise from the ability of parents to return to work.** Therefore, OHA also believes that allowing for additional time before schools reopen may only increase the economic benefits of such reopening, and minimize the risk of negative economic impacts that may reduce or negate any such benefits.

**Accordingly, OHA respectfully urges the Board to carefully consider the requests from the HSTA and others to delay reopening schools until safety protocols, guidance, and alternatives are more clearly developed and communicated, to minimize any avoidable risks posed to the Native Hawaiian community, to ensure the best educational and developmental experiences for our keiki and haumana, and to minimize the potential for unintended economic disruption.**

Mahalo nui for your consideration of this request.

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<sup>i</sup> Hawai'i State Department of Education Office of Strategy, Innovation and Performance, Assessment and Accountability Branch, OHA\_RequestOEC15-16\_16-17\_17-18rpt (2019) (unpublished data).

<sup>ii</sup> 24.8% of Native Hawaiian households, compared to 9.6% of state households include more than two generations or an unrelated individual. SMS, HAWAI'I HOUSING PLANNING STUDY 34 (2016), available at [https://dbedt.hawaii.gov/hhfdc/files/2017/03/State\\_HHPS2016\\_Report\\_031317\\_final.pdf](https://dbedt.hawaii.gov/hhfdc/files/2017/03/State_HHPS2016_Report_031317_final.pdf).

<sup>iii</sup> See, e.g., Chelsea Davis, *Concern grows over school reopening after infection at summer program*, HAWAI'I NEWS NOW, July 14, 2020 available at (2019)

<sup>iv</sup> Office of Hawaiian Affairs, Issue Brief: COVID-19 and Native Hawaiian Communities: Native Hawaiians Over-Represented in COVID-19 At-Risk Populations (2019). available at [https://19of32x2yl33s8o4xza0gfl4-wpengine.netdna-ssl.com/wp-content/uploads/Issue-Brief.-Covid-19\\_corrected.pdf](https://19of32x2yl33s8o4xza0gfl4-wpengine.netdna-ssl.com/wp-content/uploads/Issue-Brief.-Covid-19_corrected.pdf).

<sup>v</sup> See Centers for Disease Control and Prevention, Interim Guidance for Administrators of US K-12 Schools and Child Care Programs (updated April 20, 2020), available at <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/guidance-for-schools.html>.

<sup>vi</sup> Jennifer Couzin-Frankel, et. al, *School openings across globe suggest ways to keep coronavirus at bay, despite outbreaks*, SCIENCE, July 7, 2020 available at <https://www.sciencemag.org/news/2020/07/school-openings-across-globe-suggest-ways-keep-coronavirus-bay-despite-outbreaks>; Alexandra M. Stern, et. al., *Closing of schools – lessons from 1918-19 US Flu Pandemic*, 28 HEALTH AFFAIRS w1066 (Sept. 2009), available at <https://www.healthaffairs.org/doi/pdf/10.1377/hlthaff.28.6.w1066> (“positive outcomes shared by these cities appear to be the result of good coordination among local, state, and, when applicable, federal levels of government; effective local leadership; robust volunteerism especially from teachers and nurses; and other social, economic, and cultural factors”).

<sup>vii</sup> This may include additional measures such as refraining from shouting or sneezing at or near others, or similar higher-risk activities, especially where schools allow for face masks to be removed during recess sessions. See, e.g. Mayor Kirk Caldwell (@MayorKirckHNL), Twitter (July 17, 2020, 2:38 p.m.), <https://twitter.com/mayorkirckhnl/status/1284286430282256385?s=10>.

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<sup>viii</sup> See Amanda Capritto, *Can people who are asymptomatic spread coronavirus? What we know now: People can have COVID-19 without knowing it – and that’s a huge threat to public health*, CNET, July 22, 2020 available at <https://www.cnet.com/health/can-asymptomatic-people-spread-coronavirus/>

(“Studies have shown that people can be contagious in the first several days of having the virus, before they show symptoms. One study actually estimated that more than 40% of novel coronavirus cases were transmitted in the presymptomatic phase. And, in a study that analyzed samples from sailors on the USS Theodore Roosevelt, about 20% of infected people reported that they never developed symptoms.”).

<sup>ix</sup> Office of Hawaiian Affairs, *supra* note iv (“Native Hawaiians are at greater risk of suffering financial hardship from the negative economic conditions that are likely to result from the spread of COVID.”).