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## TESTIMONY BEFORE THE STATE OF HAWAII BOARD OF EDUCATION

THURSDAY, MARCH 4, 2021

### IV. D. Committee Action on recommendation concerning new Superintendent Employment Contract

COREY ROSENLEE, PRESIDENT

To Chair Takeno and members of the Human Resources Committee,

On Saturday, February 27, the Hawaii State Teachers Association Board of Directors voted unanimously to ask the Board of Education to not renew Superintendent Kishimoto's contract.

This is not the first time HSTA has taken a position on Superintendent Kishimoto's actions. On August 15, 2020, the HSTA Board of Directors adopted NB-13 which expressed no confidence in Superintendent Kishimoto's leadership in safely reopening schools.

HSTA wants to thank the Board of Education for the numerous times this board has had to take actions to overturn decisions made by the superintendent that could have had serious ramifications for our keiki and our schools. With the most recent action occurring at just the last board meeting, when the BOE voted to overturn the superintendent's memo on differentials. She chose to send out the memo even though the differentials were highly effective, had BOE support, and before exploring the possibility of additional federal stimulus money.

On March 1, The Learning Coalition released a Ward Research principal survey with 157 out of 256 principals responding. In this survey, principals were also critical of Superintendent Kishimoto's leadership with:

- 72% disagreeing that communication from HDOE to principals is timely and responsive



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- 59% disagreeing that communication from HIDOE to principals is clear and easy to understand
- 58% indicating that HIDOE did not do well providing them with pertinent and relevant information that they could then communicate in an accurate and timely manner to students, parents and school communities during COVID-19
- 58% disagreeing that HIDOE works collaboratively with principals to support their schools
- 54% disagreeing that HIDOE is receptive and open to input from principals

With one principal stated, “Too much decision making was left up to the school. This made it seem like principals were the final decision makers and we had to defend what we were doing to address the crisis.”

HSTA does not come to this decision lightly nor capriciously. The following list shows the many reasons why HSTA has come to this conclusion. In the last year Superintendent Kishimoto has:

- Shown unwillingness to respect and honor her legal obligation to engage in consultation and/or bargaining with the HSTA, but instead has chosen mandates. (3/17/20 first PPC)
- Been rated marginal by the Board of Education on her 2020 year-end evaluation on operations, resource, and personnel management while she rated herself highly effective for that category. (5/21/20)
- Refused to enforce mask use and six-foot distancing until instructed to do so by the Board of Education. (7/9/20 six feet, 7/30/20 masks)
- Refused to allow teachers and other employees time in the fall to prepare for distance instruction during the pandemic until directed to do so by the BOE following a public outcry by our members. (7/30/20)
- Violated HSTA’s contract and refused to bargain after unilaterally announcing all schools would be on distance learning because of rising COVID-19 cases (8/7/20 Oahu, 8/11/20 Hawaii, Kauai, Maui except Hana and Molokai), eventually leading HSTA to file a prohibited practice complaint (PPC) with the Hawaii Labor Relations Board. Only after the PPC was filed did the HIDOE agree to engage in impact bargaining. However, there has been very little effort to resolve the outstanding issues. (8/13/20)
- Refuses to release COVID-19 case counts by school. (9/17/20 to the present)
- Refused to implement consistent and transparent procedures related to telework approvals until instructed to do so by the BOE. (10/1/20) Even after



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publishing clearer guidelines (10/7/20), teachers without any in-person instruction responsibilities were still being forced to report.

- Shown little to no interest in successor bargaining as she only briefly made opening comments for the first session then left and did not even show up for the second bargaining session. (12/10/20, 1/29/21)
- Prioritized using federal stimulus funds for tutors over maintaining current school level employees and positions. (1/21/21)
- Without notice to the HSTA or the BOE, unilaterally announced she planned to terminate shortage differentials to teachers in special education, Hawaiian language immersion and hard to staff schools, even though the differentials had shown remarkable success and federal stimulus money could be utilized to cover the costs. (2/9/21)
- Refuses to follow state Department of Health guidelines and metrics to move to safer models as they are published weekly by island. (ongoing)
- Repeatedly failed to provide adequate and clear communication to HIDEOE employees on a timely basis. (ongoing)

For these reasons and more, HSTA is asking members of the BOE's Human Resources Committee to not renew Superintendent Kishimoto's contract.

Thank you for your consideration.

Corey Rosenlee, State President  
Osa Tui, Jr., State Vice President, McKinley High  
Logan Okita, State Secretary-Treasurer, Nimitz Elementary  
Jamie Stidger, NEA Interim Director, Castle High

L. Pauahi Kazunaga, Central Chapter Director, Aiea High  
Amanda Lacar, Central Chapter Director, Mokulele Elementary  
Dana Shishido Kobayashi, Central Chapter Director, Wheeler Elementary  
Melissa Turner, Hamakua Chapter President, Honokaa Elementary  
Edwin Kagawa, Hilo Chapter President, Keau Middle  
Tina Miyataki, Hilo Chapter Director, Keaukaha Elementary  
Louise Cayetano, Honolulu Chapter Director, Fern Elementary  
Shannon Garan, Honolulu Chapter Director, Linapuni Elementary  
Inga Park Okuna, Honolulu Chapter President, Kalihi-Uka Elementary  
Scott Takata, Honolulu Chapter Director, McKinley High  
Caroline Freudig, Kauai Chapter President, Kalaheo Elementary  
Shelby Olofson, Kohala Chapter President, Kohala High



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Jill Jacobs, Kona Chapter President, Kealakehe Elementary  
Romeo Eleno, Lanai Chapter President, Lanai High-Elem  
Anthony McCurdy, Leeward Chapter Director, Campbell High  
Julie Reyes Oda, Leeward Chapter Director, Nanakuli High-Intermediate  
Vickie Parker Kam, Leeward Chapter Director, Ilima Intermediate  
Sarah Milianta-Laffin, Leeward Chapter Director, Ilima Intermediate  
Shirley Yamauchi, Leeward Chapter President, Kapolei Middle  
Mike Landes, Maui Chapter President, Lahainaluna High  
Shannon Kealoha, Maui Chapter Director, Maui-Waena Intermediate  
Tes Kaulia, Molokai Chapter President, Maunaloa Elementary  
Jodi Beaty, Windward Chapter President, Waimanalo Elem-Inter  
Kana Naipo, Windward Chapter Director, Castle High

Please also consider, included in this testimony, the individual testimonies of HSTA chapter presidents from across the state:



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To Chair Takeno and Members of the Human Resources Committee,

My name is Inga Park Okuna, and I am a counselor at Kalihi Uka Elementary School. I am also the chapter president of the HSTA Honolulu Chapter representing 2,387 members. On behalf of the Honolulu Chapter of HSTA, we are asking you not to offer a new employment contract to Superintendent Christina Kishimoto.

As you are aware, the HSTA Board of Directors, with a vote of no confidence, expressed its disappointment in the way Superintendent Kishimoto led the DOE in the safe opening of schools this past fall. This was not the only concern we have had with the Superintendent's leadership, but it is an important concern. We had hoped to maintain a positive working relationship with Superintendent Kishimoto; a relationship based on mutual respect and a shared vision of what is best for our students and our teachers. We felt we were building a collaborative partnership in working to end the teacher shortage crisis for our state. However, since the start of the pandemic, we have unsuccessfully asked to be included in discussions related to the opening of schools; including safety guidelines and procedures, telework, timelines, and time for teachers to prepare for distance learning. Instead of working collaboratively to problem solve and creatively face the pandemic, she has repeatedly made decisions on her own. Even when directed by the Board of Education to rescind or revise these decisions, she continues to exclude the teachers in the planning process. In July, she refused to enforce the CDC guidelines of mask use and 6-foot distancing, until the Board of Education instructed her to do so. Although teachers had never delivered instruction online and were unfamiliar with many of the platforms and best practices, Superintendent Kishimoto refused to allow teachers and other employees time to be trained and prepare for distance instruction. Once again, she was directed by the BOE to give teachers the needed time to develop some proficiency with online platforms such as Google Classroom, Google Meets, Pear Deck, etc.

This was not an easy testimony to write as it involves someone's career and employment. However, when Superintendent Kishimoto recently announced her plan to terminate shortage differentials, something that she had initiated with HSTA, she showed that she still isn't working with teachers for what is best for us and for our students.

Thank you,

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Inga Park Okuna  
HSTA Honolulu Chapter President



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To Chair Takeno and members of the Human Resources Committee,

I am Shirley Yamauchi, 21 year teacher at Kapolei Middle School, gr. 7 elective wheel teacher on the Blue Track Calendar. I am the Leeward Chapter President and I have represent 3000+ teachers. I am asking that Superintendent Christina Kishimoto's employment contract not be renewed.

On August 15, 2020, the Hawaii State Teachers Association told the BOE, that the HSTA Board of Directors "overwhelmingly voted to state that they have no confidence in Schools Superintendent Christina Kishimoto's handling of the reopening of Hawaii's public schools." I am on that State Board, and I still stand by that vote. Prior to my vote, I emailed Dr. Kishimoto, asking what was going to happen to the three multi track schools, as we were scheduled to bring students back, shortly after July 1, 2020. To this day, she still has not responded back to my personal email.

As the Leeward Chapter President, I am humbly asking that Dr. Kishimoto's contract not be renewed.

Sincerely,

Shirley Yamauchi,  
Kapolei Middle School teacher and  
Leeward Chapter President



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To Chair Takeno and members of the Human Resources Committee,

My name is Jodi Beaty and I am a kindergarten teacher at Waimanalo Elementary and Intermediate School. I am also the chapter president of the HSTA Windward Chapter representing 1220 members. On behalf of the Windward Chapter, we ask you not to offer a new employment contract to Superintendent Christina Kishimoto.

Back on August 15, 2020, the HSTA Board of Directors adopted NB-13, which expressed no confidence in Superintendent Kishimoto's leadership in safely reopening schools. Kishimoto has shown a continued unwillingness to respect and honor her legal obligation to engage in consultation and/or bargaining with the HSTA. Instead, she has chosen mandates which violated HSTA's contract and refused to bargain after unilaterally announcing all schools would be on distance learning because of rising COVID-19 cases, eventually leading HSTA to file a prohibited practice complaint (PPC) with the Hawaii Labor Relations Board. Only after the PPC was filed did the HDOE agree to engage in impact bargaining. However, there has been minimal effort to resolve the outstanding issues.

Also, Kishimoto has shown little to no interest in successor bargaining. She only briefly made opening comments for the first session, then left and did not even show up for the second bargaining session. Instead of maintaining current school-level employees and their positions, Kishimoto prioritized using the federal stimulus funds for tutors.

Due to these reasons and so many more, I am requesting that a new employment contract is NOT extended to Superintendent Christina Kishimoto.

Thank you for your consideration.

Jodi Beaty, Ph.D.  
HSTA Windward Chapter President  
NEA Republican Educators' Caucus  
Pacific Regional Director





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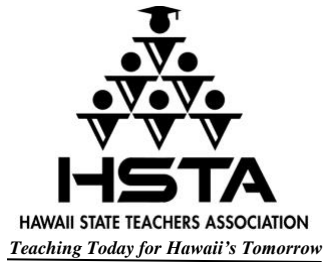
To Chair Takeno and members of the Human Resources Committee,

My name is Edwin Kagawa and I am a SPED Inclusion/Math teacher at Kea'au Middle School. I am also the chapter president of the HSTA Hilo Chapter representing over 1200 educators. On behalf of the Hilo Chapter, we are asking you not to offer a new employment contract to Superintendent Christina Kishimoto.

On August 15, 2020, the HSTA Board of Directors adopted NB-13 which expressed no confidence in Superintendent Kishimoto's leadership in safely reopening schools. Throughout the pandemic, Superintendent Kishimoto has repeatedly shown that she does not have the leadership skills to advocate for our public education system. She consistently "flip-flops" on decisions and messaging between her and the Governor, you as the Board, the Department of Health and the Public. In addition, her communications to the schools have been so inconsistent and vague that schools are making decisions and implementing plans that vary so much it is dangerous for the safety and security of our staff and students. The only times she has tried to make leadership-type decisions are when she is directed to by you, the Board of Education, or put in a position by the Governor.

She has shown little to no interest in successor bargaining as she only briefly made opening comments for the first session then left and did not even show up for the second bargaining session. (12/10/20, 1/29/21). How are we supposed to feel that she honors her position as our boss if she shows such a lack of respect to her employees? She constantly says that she supports the schools but can't be bothered to even listen to those who are in front lines, working with our students. It is her responsibility to ensure that all the schools are supported and protected for the health and safety of the students, the faculty and staff, and the communities serviced by the schools. If she doesn't have respect for the process, she doesn't have respect for the position and job you hired her to do.

Without notice to the HSTA or the BOE, she unilaterally announced she planned to terminate shortage differentials to teachers in special education, Hawaiian language immersion and hard to staff schools, even though the differentials had shown remarkable success and federal stimulus money could be utilized to cover the costs. (2/9/21). Our schools are already understaffed and with the threats to not only terminating these differentials but also "furloughs" and loss of positions, it will be very harmful to our already fragile public school system in supporting our most vulnerable students. We can't afford not to prioritize the students. The costs to



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Hawaii's future may be exponentially more than what we actually save right now and the damage to our keiki may be irreparable.

Please do not renew her contract. Please really look into someone who has the best interests for our students and Hawaii's future in their heart.

Thank you for your consideration,

Edwin Kagawa  
Kea'au Middle School Teacher and HSTA Hilo Chapter President



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To Chair Takeno and members of the Human Resources Committee,

My name is Jill Jacobs, and I am a third-grade general education teacher in a special education inclusion classroom at Kealakehe Elementary School. I am also the chapter president of the HSTA Kona Chapter representing 613 members. On behalf of the Kona Chapter, we are asking you not to offer a new employment contract to Superintendent Christina Kishimoto.

One reason we would ask not to offer her a new employment contract is her unilateral announcement of the decision to discontinue the shortage differentials that was made on February 9. The data shows that the differentials are making an impact on the teacher shortage crisis. The differentials impact every one of the teachers in Kona as all of West Hawaii is hard to staff. Many Kona chapter members submitted testimony for the last board meeting about the impact that the loss of the differentials would have on them, their families, our students, and our community. When we started receiving the differentials last January it was the first time in the seven years that I have taught in Hawaii that I did not have to have to second job, and I have reclassified to class seven the highest we can as teachers. The fear and undue stress that announce caused to my teachers was horrible. Thank you Board, for restoring the differentials and for supporting the work of teachers.

The second reason I would ask that you not renew Superintendent Kishimoto's employment contract is that she shows little to no interest in the negotiation of the successor agreement. Negotiations is a vital process that provides teachers with a Collective Bargaining Agreement that provides for teachers work conditions and retention of teachers. By so little interest in coming to the table to negotiation it shows teachers that she is uninterested in what is best for the teachers and students in Hawaii.

Thank you for your consideration,

Jill Jacobs  
MSEd., MAEd., MAT  
HSTA Kona Chapter President



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To Chair Takeno and members of the Human Resources Committee,

My name is Romeo Eleno and I am a Health/PE teacher at Lanai High & Elementary School. I am also the chapter president of the HSTA Lanai Chapter representing 50 members. On behalf of the Lanai Chapter, we are asking you not to offer a new employment contract to Superintendent Christina Kishimoto.

Recent events that Superintendent Kishimoto acted upon has shown a lack of due diligence and responsible decision-making in the best interest of our keiki as well as our educators. Without notice to both HSTA and BOE, she unilaterally announced the termination of shortage differentials to teachers in hard to staff schools, special education, and Hawaiian language immersion even though the differentials had shown remarkable success in stabilizing the turnover rates at our school here on Lanai. The federal stimulus money could be utilized to cover the costs.

In addition, when the Superintendent "jumps the gun" in making important decisions it shows a lack of seeing the "whole picture" with such tunnel vision. A good example of this involved the prioritized use of federal stimulus funds for tutors instead of maintaining current school level employees and positions. Why do we want to spend millions on tutors instead of keeping and/or hiring more teachers? It just doesn't make sense.

We would like to thank you in advance in doing the right thing in not offering a new contract to Superintendent Kishimoto.

Thank you for your consideration,  
Romeo Eleno  
Lanai City, Island of Lanai



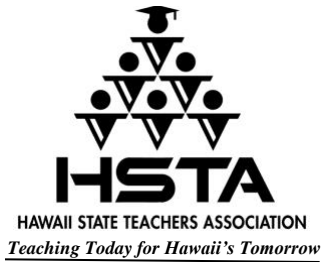
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Aloha Chair Takeno and members of the Human Resources Committee,

My name is Mike Landes, and I am a social studies teacher at Lahainaluna High School. I am also the chapter president of the HSTA Maui Chapter, representing 1449 members. On behalf of the Maui Chapter, we are asking you not to offer a new employment contract to Superintendent Christina Kishimoto. Unfortunately, what we have seen from her since the pandemic started is a lack of leadership – leadership that is required to guide the DOE; leadership that her employees, our students, and their families desperately need. Over the past year, I have received feedback from Maui teachers on a near-daily basis about this lack of leadership within the DOE. As a result of the feedback of teachers around the state, our HSTA Board of Directors took a position of “no confidence” in her leadership in safely reopening schools, and we now state that we oppose the idea of renewing her contract.

Throughout the pandemic, Superintendent Kishimoto has proven to be unwilling to honor her legal obligations, unless and until forced to do so by the BOE or threats of legal action. Teachers entered into the legally-binding MOU with the DOE, and have subsequently had to fight tooth-and-nail to get her to abide by the very things she agreed to. How many BOE meetings have teachers had to testify at over the past year, how many pages of testimony have you read, how many hours of impassioned pleas have you listened to, and how much of that was about items that were clearly spelled out in the MOU that she simply refused to follow? Masks? Distancing? You folks had to tell her what the words in her own MOU meant regarding these topics. She is even abdicating her legal responsibility for engaging in successor bargaining with the representatives of her employees, as the extent of her presence in contract negotiations was to make some opening remarks and then leave the first session, and then not even show up for the second session. This has resulted in a declaration of impasse and the need for federal mediators to get involved. None of this is how a leader meets their legal obligations.

Superintendent Kishimoto has also consistently failed to adequately communicate to her employees and the public, sowing unnecessary confusion among her employees, our students, and their families. Her communication to the public about COVID spread in our schools is seriously lacking and a cause of major concern in the community whenever the media reports on her vague news of a positive case of somebody somewhere in a complex area. Her “policy” regarding telework is essentially no policy at all, resulting in a wild-west scenario where different schools



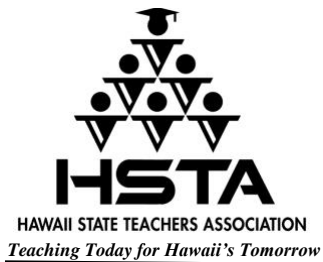
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have entirely different telework procedures, seemingly based on the whims of the principals. Some teachers have even reported blanket denials of telework, including for teachers who do not have any in-person instruction responsibilities. This has been made abundantly clear time and time again, yet nothing is said by the superintendent to clarify the requirements of her “policy”. And then, there’s her statements about wanting to use a third of the federal funds to hire private tutors while slashing school budgets, and wanting to unilaterally end the differentials for teachers in critical shortage areas. I cannot tell you how many teachers I heard from about both of these issues, fearing for their jobs and their ability to provide for their families. These are teachers who feel they are expected to risk their lives by teaching in-person during a pandemic, and this is the thanks they get? None of that is how a leader communicates.

It disappoints me to give this testimony, because I had high hopes for the superintendent as recently as one year ago, when I met her at the state capitol as we were both there to lobby on behalf of efforts to recruit and retain teachers. But the right thing to do is the right thing to do. Our public school system needs a leader who has the trust of their employees, their students, and their families. That trust has been broken beyond repair, and it is time for someone new.

Mahalo for your time,

Mike Landes  
HSTA Maui Chapter President



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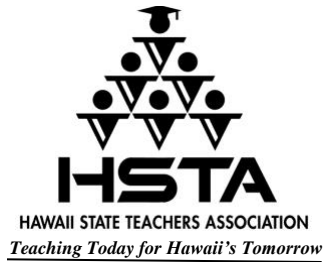
Aloha Chair Takeno & Members of the Human Resources Committee,

My name is Caroline Freudig. I am a first grade teacher on Kaua'i as well as the Kaua'i Chapter HSTA president which is a chapter of approximately 700 teachers. I am providing written testimony for item IV. D. Committee Action on recommendation concerning new Superintendent Employment Contract.

I am very much opposed to renewing Dr. Kishimoto's contract. This past year has been challenging for all of us, however, Dr. Kishimoto has time and time again shown her unwillingness to engage in conversation to benefit our students & teachers as well as made decisions that were of detriment to the education & safety of our students and our schools.

I share my concerns here today with the understanding that any superintendent who performed as Dr. Kishimoto did this past year would be the recipient of such concerns and it's not personal. I met with Dr. Kishimoto in her first year when I was a state Hope Street Group Fellow. The group of teachers, the fellows, shared with her our concerns of how someone coming in to Hawai'i might not exactly understand the culture here and how things are done. She listened attentively to what we had to say and then she shared with us her willingness to listen and learn her first year as superintendent in Hawai'i. Somewhere along the way, I don't feel she truly grasped what our Hawai'i culture and our schools are all about.

Back in July, when we were faced with organizing and planning properly for distance learning, Dr. Kishimoto refused to provide necessary planning time. How was she expecting schools to properly prepare without the time to do so? Did she expect us to give up our personal time and over-extend ourselves and use our weekends to plan and prepare? It was only after directed by the Board of Education on July 30th that we were given 9 days of teacher preparation to properly plan for teaching our students via distance learning. During this time when we were engaging in conversation around proper planning, Dr. Kishimoto sent an email on July 27th in which she stated, "My expectation is that if the board approves the two-week delay, that our labor partners will do an aggressive push to their members to be at schoolhouse doors on day one for our students". This is poor communication to the teachers. It implies that if given time to plan that teachers would need to be forced or encouraged to show up for their students which is completely mind-boggling to me that she would state that. Teachers and other school personnel were bending over backwards and many were giving up weekends



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and evenings to ensure that our schools were ready to welcome students to a great year of learning no matter what it looked like.

Also during this time, on July 21st, we received a video email from Dr. Kishimoto in which she stated “all” schools were prepared with PPE and safety protocols. I testified at the Board of Education on July 23rd with hard data from Kaua’i to show that “all” was just not true. I found it very misleading that our superintendent would send a video to the DOE staff stating something that was absolutely not true. I also found it irresponsible for her to make such a claim.

These are just two examples of the many this year that I feel make it impossible for us to continue with Dr. Kishimoto as our school superintendent.

Thank you for your consideration,

Caroline Freudig  
Kaua’i HSTA Chapter President  
First Grade Teacher