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**THIRD CIRCUIT**  
**3CCV-22-0000308**  
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IN THE CIRCUIT COURT OF THE THIRD CIRCUIT  
STATE OF HAWAI'I

CATHERINE BETTS, In Her Official  
Capacity as Director of the Department of  
Human Services, State of Hawai'i,

Plaintiff,

vs.

KALAMAPI'I PLAY SCHOOL; MIE  
KANAMORI; KIMBERLY PIERCE; JOHN  
DOE 1-10; JANE DOE 1-10; DOE  
ENTITIES 1-10,

Defendants.

CIVIL NO. 3CCV-22-0000308  
(Other Civil Action)

MOTION FOR PRELIMINARY AND  
PERMANENT INJUNCTION AND FOR  
OTHER RELIEF; MEMORANDUM IN  
SUPPORT OF MOTION; DECLARATION  
OF ERIN OKUDA, EXHIBITS "1-3";  
DECLARATION OF LISA GALINO,  
EXHIBITS "1-5"; DECLARATION OF  
JANA PIIMAUNA, EXHIBITS "1-12";  
NOTICE OF HEARING AND  
CERTIFICATE OF SERVICE

**HEARING:**

DATE: November 15, 2022  
TIME: 8:00 am via ZOOM  
JUDGE: Honorable Peter K. Kubota

**MOTION FOR PRELIMINARY AND PERMANENT INJUNCTION  
AND FOR OTHER RELIEF**

The Plaintiff, State of Hawai‘i Department of Human Services (DHS), moves this court for a preliminary and permanent injunction enjoining Defendants KALAMAPI‘I PLAY SCHOOL, MIE KANAMORI, and KIMBERLY PIERCE, and individuals acting in concert with them from continuing to operate or maintain an unlicensed group child care center. An injunction is necessary to: (1) prevent Defendants from continuing to provide illegal child care by operating a group child care center without a license, (2) ensure the safety of the children in Defendants’ care, and (3) to enforce the child care licensing laws of the State of Hawai‘i.

This motion is brought pursuant to Hawaii Revised Statutes §§ 603-21.9(1) & (6) and 603-23, and Rules 7, 65(a)(1) & (2) of the Hawai‘i Rules of Civil Procedure. The motion is supported by the attached memorandum, declarations, and exhibits herein.

DATED: Honolulu, Hawai‘i, October 10, 2022.

HOLLY T. SHIKADA  
Attorney General

/s/ Melissa L. Lewis  
MELISSA L. LEWIS  
LYNNE M. YOUMANS  
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Department of Human Services

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MEMORANDUM IN SUPPORT OF  
MOTION; DECLARATION OF ERIN  
OKUDA; EXHIBITS 1-3; DECLARATION  
OF LISA GALINO; EXHIBITS 1-5;  
DECLARATION OF JANA PIIMAUNA;  
EXHIBITS 1– 12.

**MEMORANDUM IN SUPPORT OF MOTION**

**I. INTRODUCTION**

Defendants, KALAMAPI'I PLAY SCHOOL (KPS), MIE KANAMORI (Kanamori), and KIMBERLY PIERCE (Pierce) (Collectively referred to as Defendants) applied for a license to operate a group child care center with the State of Hawai'i Department of Human Services' (DHS). Defendant Kanamori is the Director of KPS, and Defendant Pierce is the Owner of KPS. Declaration (Decl.) of Jana Piimauna. Rather than complete the application process and confirm that they could provide safe and appropriate child care in a licensed child care center, on August 22, 2022, Defendants opened and continue to operate an unlicensed group child care center in violation of §§ 346-151 and 346-161 of the Hawaii Revised Statutes (HRS).

**II. PERTINENT BACKGROUND**

DHS is responsible for enforcing the child care licensing laws pursuant to §§ 346- 161 and 162, HRS, and chapter 17-892.1, Hawaii Administrative Rules (HAR), (hereinafter referred

to Child Care Licensing Laws). The Child Care Licensing Laws statutes were enacted by the Legislature to protect infants and preschool age children who are in child care. The Child Care Licensing Laws ensure a minimum necessary level of safety and quality in child care facilities so that children do not get hurt and families and the community can be confident that their children will be safely cared for when not at home.

As explained above, Defendants applied for a license to operate a group child care center. Declarations (Decls.) of Erin Okuda and Jana Piimauna. In reviewing the application DHS through its Child Care Licensing Workers (CCLW), discovered that Defendants did not meet the Child Care Licensing Laws. Decls. of Erin Okuda, Jana Piimauna and Lisa Galino. There were two main issues with the Defendants' application. Decls. of Jana Piimauna and Lisa Galino.

**A. First Primary Issue: Unsafe Levels of Lead Inside and Outside of KPS**

The primary issue with Defendants' application was that there were unsafe levels of lead inside KPS and in the soil outside of KPS, which is located at 55 Ululani St, Hilo, Hawai'i (Property). Decl. of Jana Piimauna. As part of the Defendants license application, CCLW required Defendants to have the Property tested for lead because the buildings on the Property were older and had decaying, chipping, flaking, and peeling paint throughout the inside and outside of the buildings. Decl. of Jana Piimauna; Exhibit 2.

Defendants received two separate lead testing reports, *Lead-Risk Assessment Report* dated August 17, 2022, and the *Lead-Wipe Clearance Report* dated August 19, 2022, both lead tests found the presence of unacceptably high levels of lead inside of the Property and outside in the soil of the Property. Decl. of Jana Piimauna; Exhibit 6, see map of lead on Property attached to Exhibit 6. Despite knowing that the Property was contaminated with high levels of lead,

Defendants, on August 22, 2022, opened KPS and started to provide care for young children at the Property. Decl. of Jana Piimauna. Defendants did not provide the two lead reports to CCLW until August 24, 2022, after they opened the child care facility. Decl. of Jana Piimauna and Erin Okuda.

On August 23, 2022, Pierce emailed to CCLW the August 19, 2022, *Lead-Wipe Clearance Report*. Decl. of Jana Piimauna; Exhibit 7. That day, Defendants were instructed by CCLW to stop all child care. Decl. of Jana Piimauna and Erin Okuda. On August 24, 2022, Defendants knowing that there were high levels of lead inside and outside of the Property, CCLW confirmed that Defendants continued to provide unlicensed care and again were directed to stop all child care operations. Decl. of Jana Piimauna and Erin Okuda. On August 24, 2022, CCLW asked Pierce for a copy of the *Lead-Risk Assessment Report* because that report was referred to in the *Lead-Wipe Clearance Report*. Decl. of Jana Piimauna. On August 24, 2022, Pierce submitted to CCLW a copy of the August 17, 2022, *Lead-Risk Assessment Report*. Decl. of Jana Piimauna, Exhibit 7. The *Lead-Risk Assessment Report* showed significant hazardous levels of lead identified in the indoor areas of the Avocado and Sprout Houses as well as “grossly contaminated lead-contaminated soils” on the exterior of the KPS property and the Avocado and Sprout Houses. Decl. of Jana Piimauna; Exhibit 7, emphasis added.

On August 25, 2022, at the request of DHS, the Department of Health (DOH) Indoor & Radiological Health Branch, Thomas Lileikis, reviewed the August 19, 2022, *Lead-Wipe Clearance Report* and determined that, according to that report, all the dust hazards in the indoor areas were abated, however, information from the areas with deteriorated lead-based paint were not addressed and information about the exterior bare soil with lead hazards were also not addressed. Decl. of Jana Piimauna; Exhibit 8, emphasis added. Based on the two lead test

results, CCLW told Defendants that lead abatement and additional lead testing of all areas identified as contaminated with lead, inside and outside of the Property, must be conducted before Defendants could obtain a license to operate a group child care center. Decl. of Jana Piimauna.

On August 26, 2022, Pierce verbally informed CCLW that KPS would work to remove some of the soil from the areas that were identified to contain lead hazards. Decl. of Jana Piimauna. Pierce told CCLW that they would abate the lead and have the soil around the Property re-tested after the abatement and give CCLW the re-test results. On September 15, 2022, Defendants provided CCLW the *Lead Soil Screen Summary* re-test results which again indicated high levels of lead were present in the outside soil areas of the Property. Decl. of Jana Piimauna; Exhibit 9, emphasis added. Based on the September 15, 2022, lead re-test report recommendations, CCLW told Defendants that they needed to notify the DOH Hazard Evaluation and Emergency Response Office of the *Lead Soil Screen Summary* of the re-test findings and to obtain guidance on necessary remedial action. Decl. of Jana Piimauna; Exhibit 9. Defendants have not provided to CCLW information confirming further remediation of the lead on the Property, confirmation that they are working with DOH on a remediation plan, or re-testing of the areas with lead contamination inside and outside of the Property. Decl. of Jana Piimauna; Exhibits 10-12.

Throughout the Defendants' application process, CCLW repeatedly told Defendants they could not provide child care until all the lead test results came back clear and they submit confirming documentation to CCLW. Decl. of Jana Piimauna and Erin Okuda. Upon receipt by CCLW of each of the three lead test results (two initial and one re-test), CCLW told Defendants that they could not care for children at KPS because of the dangerous levels of lead at the

Property that exceed DOH's acceptable level, that adequate lead abatement documentation must be provided to CCLW as specified by DOH, and that Defendants must stop all child care operations until the abatement is completed and re-testing results return clear. Decl. of Jana Piimauna. CCLW told Defendants that CCLW could not issue a license to a child care center with unsafe levels of lead, and for the safety of the children in Defendants' care, instructed Defendants to cease operations immediately. Decl. of Jana Piimauna and Erin Okuda.

Part of CCLW efforts to work with Defendants included requesting necessary documentation to verify lead abatement and to verify that children are not allowed in areas contaminated by lead. Decl. of Jana Piimauna. Defendants have yet to provide the requested documentation. Decl. of Jana Piimauna. As a result, CCLW is unable to verify adequate lead abatement or that children do not have access to areas contaminated by lead. Decl. of Jana Piimauna.

**B. Second Primary Issue: Staff Does Not Meet Required Qualifications**

The second primary issue with Defendants' application was that none of Defendants' staff meet the required minimum staff qualification to run or teach at group child care center. Decl. of Erin Okuda and Lisa Galino. CCLW has requested and is waiting for Defendants to submit a comprehensive teacher waiver plan of action pursuant to § 17-892.1-17(i), HAR. Decl. of Lisa Galino. A teacher waiver plan of action requires Defendants to explain how their current staff plans to obtain the appropriate qualifications and includes information on how the waived teacher will be adequately supervised and guided to ensure that the waived teacher is able to provide developmentally appropriate activities in young children's physical, intellectual, emotional and social development and growth, along with adequate supervision according to the

ages of children. Decl. of Lisa Galino. CCLW is still waiting for Defendants written teacher waiver plan of action. Decl. of Lisa Galino.

### **C. Current Status of the Two Issues**

Although the teacher qualification issue is concerning, DHS recognizes that it is not as pressing as the issue of lead exposure to the children. Nevertheless, both issues need to be adequately addressed by Defendants before they can be licensed to operate a group child care center. Decls. of Lisa Galino, Erin Okuda, and Jan Piimauna. Until both the lead abatement and the teacher qualification issues are resolved, and Defendants are granted a licensed to operate a group child care center, Defendants must cease all child care operations immediately. Decls. of Jana Piimauna, Lisa Galino, and Erin Okuda.

CCLW has worked extensively with Defendants to assist them in becoming licensed to operate a group child care center. Decls. of Erin Okuda, Jana Piimauna, and Lisa Galino. Defendants must work with CCLW and DOH, including providing to CCLW the requested documentation confirming successful lead abatement or alternatively, a plan showing restricted access to contaminated unsafe areas by children, and the staff waiver qualification action plan. Decls. of Jana Piimauna, Lisa Galino, Erin Okuda.

While CCLW was working with Defendants on resolving the issues identified above, on August 23, 2022, CCLW received a report that there was a post on Facebook showing a young child's first day at KPS on August 22, 2022. Decls. of Jana Piimauna and Erin Okuda. Later that day, CCLW made an unannounced visit to KPS and observed 11 children and two staff in the house located on the Property known as the "Avocado House" and observed 14 children and three staff in another house on the Property known as the "Sprout House." Decls. of Jana Piimauna, Lisa Galino, Erin Okuda. In total,



CCLW found 25 children at the unlicensed group child care center. Decl. of Erin Okuda. CCLW met with Kanamori and Pierce who confirmed that they were operating a group child care center without a license and that they opened the KPS group child care center on August 22, 2022. Decls. of Jana Piimauna, Lisa Galino, Erin Okuda. CCLW told Defendants that they could not operate a child care facility without a license and instructed them to stop the child care operation immediately. Decls. of Jana Piimauna, Lisa Galino, Erin Okuda. Defendants refused and continued to operate. Decls. of Erin Okuda and Jana Piimauna.

The next day, on August 24, 2022, CCLW went to the Property and found that Defendants continued to operate without a license. Decl. of Erin Okuda. CCLW tried to enter the Property but there were newly placed padlocks on the gates, and CCLW could not get in. Decl. of Erin Okuda. Pierce approached the locked gates and refused CCLW request to enter. Decl. of Erin Okuda. Pierce told CCLW that gates were now padlocked for security reasons and because she did not want a repeat of the previous day. Decl. of Erin Okuda.

CCLW returned later that day and hand delivered to Pierce, who was in the parking lot outside the gates, a cease-and-desist letter which instructed Defendants to immediately stop operations. Decl. of Erin Okuda. CCLW told Pierce that there were two cease-and-desist letters, one for Kanamori, and one for Pierce. Decl. of Erin Okuda. CCLW explained that the purpose of the Child Care Licensing Laws are to ensure the safety of the children and reiterated the current unresolved issues in the Defendants' license application. Decl. of Erin Okuda.

Thereafter, CCLW made attempts to access the Property on August 25, 26, 29, 30, and 31, 2022 and on September 1, 2, 6, 7, and 8, 2022 to investigate the ongoing illegal operation but were refused entry by Defendants and the locked gates. Decls. of Jana Piimauna and Erin Okuda. When CCLW went to the Property, Defendants provided CCLW, through the locked gates, with the number of children they had in their care for each respective day. Decls. of Jana Piimauna and Erin Okuda.

To date, Defendants have not provided to CCLW the necessary documentation ensuring that the high levels of lead have been properly abated nor their written teacher waiver plan of action. Decls. of Jana Piimauna, Erin Okuda, and Lisa Galino. CCLW in consultation with DOH, has determined that this is “high risk” licensing enforcement case due to the lead contamination that still exists on the Property which poses an imminent health risk to the children in care. Decl. of Jana Piimauna.

### **III. APPLICABLE LAW**

Applicable child care licensing sections of HRS:

**§ 346-151 Definitions**, provides in pertinent part: "Group child care center" means a facility, other than a private home, at which care is provided.

**§ 346-152.3 (a) Investigations**. Upon receiving a report that a person or child care facility may be caring for children in violation of this part, the department may conduct an investigation for the purpose of determining whether a violation of this part has occurred or is occurring.

**§ 346-161 License for group child care home, group child care center required**. No person shall operate, maintain, or conduct a group child care home or group child care center unless licensed to do so by the department of human services under this subpart.

**§ 346-162 Rules: minimum standards**. The department of human services, after consultation with the department of health, the department of education, and the fire chiefs of the respective counties, shall make, prescribe, and publish such rules as are deemed necessary to protect the best interests of minor children who are provided care in a group child

care home or group child care center and to carry out the purposes of this subpart.

**§ 346-165 Visitation and inspection of group child care home, group child care center.** The department of human services shall visit and inspect each group child care home and group child care center as frequently as it deems necessary for the proper operation, sanitation, and safety of the home or center, as the case may be. The visits and inspections shall be made at least once annually. Every group child care home and group child care center licensed under this subpart shall be open to visitation and inspection by representatives of the department of human services, the department of education, and the department of health, and by designated representatives of the respective county fire departments at all times.

Applicable child care licensing sections of HAR:

**§ 17-892.1-3 (a) & (b) Inspection and issuance of license** provides:

- (a) In exercising its authority to license child care centers or renew, suspend, or revoke license, the department shall analyze the qualifications of providers of child care, review the facility's written policies and program provisions, and inspect the child care facility. Authorized representatives of the department and parents or guardians of children in care may visit a child care facility at any time during the hours of operation for purposes of monitoring and inspecting the facilities, activities, staffing, and other aspects of the child care center. The department may call on political subdivisions and governmental agencies for appropriate assistance within the agencies' authorized fields. (emphasis added).
- (b) The applicant or licensee shall cooperate with the department by providing access to its facilities, records, and staff. Failure to comply with reasonable requests may constitute grounds for denial, suspension, or revocation of license. (emphasis added).

Applicable court powers sections of HRS:

**§ 603-21.9(1) & (6) Powers.** The several circuit courts shall have power:

- (1) To make and issue all orders and writs necessary or appropriate in aid of their original or appellate jurisdiction;
- ...
- (6) To make and award such judgments, decrees, orders, and mandates, issue such executions and other processes, and do such other acts and take such other steps as may be necessary to carry into full effect the

powers which are or shall be given to them by law or for the promotion of justice in matters pending before them.

**§ 603-23 Injunction of violation of laws and ordinances.** The circuit courts shall have power to enjoin or prohibit any violation of the laws of the State, or of the ordinances of the various counties, upon application of the attorney general, the director of commerce and consumer affairs, or the various county attorneys, corporation counsels, or prosecuting attorneys, even if a criminal penalty is provided for violation of the laws or ordinances. Nothing herein limits the powers elsewhere conferred on circuit courts.

#### IV. ARGUMENT

The Circuit Court has the authority in licensing actions to issue an injunction for continued violations of state laws pursuant to § 603-23, HRS. See also, *State v. Andrews*, 65 Haw. 289, 290, 651 P.2d 473, 474 (1982). An injunction is appropriate where: (1) the person seeking relief will likely prevail on the merits; (2) the public interest supports the granting of the motion; and (3) the person seeking relief is in substantial need of protection because the risk of irreparable harm to him if the injunction is denied outweighs the foreseeable harm to other persons. *Penn v. Transportation Lease, Hawai'i, Ltd.*, 2 Haw. App. 272, 276, 630 P.2d 646, 650 (1981), *Nuuanu Valley Association v. City & County of Honolulu*, 119 Haw. 90, 106, 194 P.3d 531, 547 (2008), *Life of the Land v. Ariyoshi*, 59 Haw. 156, 158-159, 577 P.2d 1116, 1118 (1978). See 7 *Moore's Federal Practice*, 65-39, ¶ 65.04[i] (1982).

An injunction is necessary and appropriate in this case due to Defendants' continued violation of state law. An injunction should be granted where: (1) the person seeking relief will likely prevail on the merits; (2) the public interest supports the granting of the motion; and (3) the person seeking relief is in substantial need of protection because the risk of irreparable harm to him if the injunction is denied outweighs the foreseeable harm to another person. *Id.* DHS has met each of the three prongs of this test, as set forth below.

In addition, the greater the irreparable harm that continues to occur without an injunction, the less the party seeking an injunction must show the likelihood of success on the merits. Likewise, the greater the probability that the party seeking an injunction is likely to prevail on the merits, the less the moving party must show that the balance of irreparable harm favors the issuance of an injunction. *Penn v. Transportation Lease, Hawai'i, Ltd.*, 2 Haw. App. at 276, 630 P.2d at 650.

**A. Plaintiff Will Likely Prevail on the Merits**

DHS's investigation shows that Defendants violated § 346-161, HRS, and § 17-892.1-3, HAR, by operating an illegal, unlicensed group child care center. Decls. of Erin Okuda, Lisa Galino, and Jana Piimauna. CCLW confirmed, through statements by Pierce and Kanamori, and by direct observations, that Defendants were aware of the Child Care Licensing Laws, knew that they had not met the licensing requirements and did not have a license when they opened the KPS child care facility, and continued to operate after DHS' demands to stop operation. Decls. of Erin Okuda and Jana Piimauna. Based on CCLW investigation, statements obtained, and numerous site visits, CCLW determined that the Defendants were operating a group child care center without being licensed by DHS in violation of § 346-161, HRS, and chapter § 17-892.1, HAR. Decls. of Erin Okuda, Lisa Galino, and Jana Piimauna. Defendants have been very clear that they know they are operating illegally and have defiantly continue to operate without a license. Decls. of Erin Okuda, Lisa Galino, and Jana Piimauna.

DHS has the exclusive authority to manage, administer, and enforce the Child Care Licensing Laws pursuant to chapter 346, HRS and § 17-892.1-3, HAR. Defendants are not licensed by DHS, as required by DHS's authorizing statutes, and cannot legally operate a group child care center. Because DHS can show that Defendants are operating

an unlicensed child care center, in violation of Child Care Licensing Laws, DHS is likely to prevail on the merits.

**B. The Public Interest Supports Granting This Motion**

The Child Care Licensing Laws were enacted to keep children from unsafe environments and protect them from being harmed by irresponsible caretakers running unsafe child care facilities. The public interest in Child Care Licensing Laws is reflected by the state Legislature's enactment of §§ 346-151, 346-161, and 346-162, HRS.

Section 346-161, HRS, prohibits a person from operating, maintaining, or conducting a group child care center without first obtaining a license from DHS. Defendants without obtaining a required license, opened and continue to operate a child care center, knowing the presence of unacceptable levels of lead on the Property poses a risk to children in their care and knowing that they do not have any qualified staff for the age group that they are providing care for. Decls. of Jana Piimauna and Lisa Galino. Moreover, Defendants' failure to cooperate with DHS' investigation by refusing CCLW entry to the Property and not by submitting the requested documentation violates § 17-892.1-3, HAR.

The public has a strong interest in protecting children from exposure to unsafe levels of lead and for families to know that the staff that is caring for their young children are qualified to provide that care. Moreover, the public interest in the safety of children in care is reflected by the enactment of the Child Care Licensing Laws and supports the granting of this motion.

**C. DHS has Incurred "Per Se" Irreparable Injury**

Violation of the child care registration laws is "per se" irreparable injury to DHS and the State. *State v. Andrews*, at 290, 651 P.2d 473, 474 (1982). In *Andrews*, the Hawai'i Supreme Court held that the continued violation of State law by the operation of an unlicensed private

school was “per se” irreparable injury to the State. Because continued violation of State law is a “per se” irreparable injury, the lower court’s order dismissing a complaint for permanent injunction against an unlicensed private school based on the State’s failure to establish irreparable injury or lack of an adequate remedy at law was erroneous. The Hawai‘i Supreme Court held that there is no requirement that DHS establish that there is no adequate remedy at law. The court held:

At least, insofar as licensing requirements are concerned, it is clear that § 603-23, HRS, gives the circuit courts power to issue an injunction where there is a continuing violation of the laws of the State. The public policy of this State, as expressed by the legislature in the section of the statutes cited, requires that private schools be licensed. The continuing operation of such a school without a license is per se an irreparable injury to the public policy of the State.

There is no requirement that in enforcing the licensing laws of the State, by way of injunction, the State establish that there is no adequate remedy at law. The order appealed from, therefore, was erroneous and must be reversed.

*Id.* (emphasis added).

In *Andrews* the appellee failed to get a state required license to operate a private school. Similarly, in the instant case, the Defendants failed to get a state required license to operate a group child care center as required by § 346-161, HRS. The Defendant’s violation of the state Child Care Licensing Laws is “per se” irreparable injury to the DHS.

Furthermore, the presence of levels of lead in and on the Property create an immediate risk to all the children at the Property. Defendants must work with DHS CCLW, including providing the requested documentation confirming adequate lead abatement or restricted access by children.

An injunction is necessary and appropriate in this case because DHS has meet each prong of the three prong test because: (1) DHS will likely prevail on the merits; (2) there is strong public interest in this motion as it concerns the safety of young children in care; and (3) there is a substantial need to protect the children in Defendants care due to the risk of irreparable harm from exposure to unacceptable levels of lead, and because the continued violation of the Child Care Licensing Laws is “per-se” irreparable harm to DHS that outweighs the foreseeable harm to Defendants of ceasing operations until they obtain the required license to care for young children.

**VI. CONCLUSION**

For the foregoing reasons, Plaintiff respectfully requests that this motion for injunctive relief be granted in addition to any other relief deemed appropriate by this Court.

DATED: Honolulu, Hawai‘i, October 10, 2022.

HOLLY T. SHIKADA  
Attorney General

/s/ Melissa L. Lewis  
MELISSA L. LEWIS  
LYNNE M. YOUMANS  
JAMES W. WALTHER  
Deputy Attorneys General

Attorneys for Plaintiff  
State of Hawai‘i



IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

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CATHERINE BETTS, In Her Official  
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ENTITIES 1-10,

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CIVIL NO. 3CCV-22-0000308  
(Other Civil Action)

DECLARATION OF ERIN OKUDA;  
EXHIBITS "1-3"

**DECLARATION OF ERIN OKUDA**

I, ERIN OKUDA, hereby declare under penalty of law that the following is true and correct and based upon my personal knowledge:

1. I am currently and have been at all relevant time herein, an employee of the State of Hawai'i Department of Human Services (DHS).
2. I have been employed by the DHS Child Care Licensing Central Hilo Unit (DHS CHU) as a Child Care Licensing Worker (CCLW) Human Service Professional for six years.
3. In that capacity and for six years, I performed child care licensing, registration, and investigations of illegal child care.
4. I am the DHS CHU CCLW assigned to the Kalamapi'i Play School (KPS) application to operate a group child care center at 55 Ululani Street, Hilo, Hawaii 96720.

5. I am the DHS CHU CCLW assigned to investigate the August 23, 2022, complaint against KPS, Mie Kanamori (Kanamori), and Kimberly Pierce (Pierce) (collectively referred to as Defendants) for conducting illegal child care.

6. I have personal knowledge of and I am competent to make this Declaration concerning the matters set forth herein.

7. As part of this investigation I conducted a thorough review of the DHS CHU records regarding the Defendants' child care licensing/registration and violation history.

8. The DHS CHU child care licensing records of the Defendants revealed the following:

8a. Defendants submitted to DHS CHU five separate applications for a license to operate a group child care center called KPS, located at 55 Ululani Street, Hilo, Hawaii 96720. The date of each application and the changes to the identification of the director of KPS as follows:

- a. November 25, 2021, wherein Pierce identified herself as the director of KPS,
- b. April 4, 2022, wherein Pierce identified the director as KPS as "TBD",
- c. May 30, 2022, wherein a person by the name of Rachel Fernandez identified herself as the director of KPS,
- d. July 6, 2022, wherein Pierce identified Raymona Souza as the director of KPS, and
- e. August 1, 2022, wherein Kanamori identified herself as the director of KPS.

8b. A *Notice of Missing Applications Items* was sent to Pierce on three separate dates, January 13, 2022, May 11, 2022, and on August 2, 2022. The third notice included a list of items that were missing and required in order to complete the application. A true and correct copy of the DHS Notice of Missing Application Items are attached and incorporated herein as Exhibit 1.

9. From December 23, 2021, through August 24, 2022, I communicated with Pierce numerous times by phone, by email, and during site visits regarding Defendants' application for a license to operate a group child care license, and areas of deficiencies that need to come into compliance in order for Defendants to get a license.

10. On July 29, 2022, I emailed Pierce section 17-892.1-3.01 of the Hawaii Administrative Rules (HAR) pertaining to fines and penalties for operating a child care center without a license and requested that she read, review, and confirm that she received the email and that she understands the HAR. Pierce responded, "Yes. I am aware of this." I emailed the HAR to Pierce as Pierce's intended start date was approaching and I had concerns that Pierce would open the facility without a license. A true and correct copy of the July 29, 2022, email is attached and incorporated herein as Exhibit 2.

11. On August 23, 2022, the DHS CHU received a complaint against the Defendants for operating an illegal group child care center.

12. On August 23, 2022, I, along with CCLW Cheryl Uyeda (Uyeda) and CHU Supervisor Jana Piimauna conducted a visit to KPS to investigate the complaint.

13. On August 23, 2022, I observed 25 children present at KPS. Kanamori confirmed that KPS opened on August 22, 2022.

14. Defendants refused to cooperate with the CCLW investigation. I instructed Kanamori to call the parents to have the children picked up from the facility as the KPS was not licensed to operate by DHS. Kanamori told me to talk to Pierce. I reminded Kanamori that she is the Director for KPS and that she needs to contact the parents to have the children picked up. Kanamori refused to cooperate and again stated that I would need to speak to Pierce.

15. Kanamori and Pierce both confirmed that they opened KPS on August 22, 2022, and that the operating hours are from Monday through Friday from 7:30am to 4:30pm.

16. Pierce arrived and stated that she was the acting Director for KPS. I reminded Pierce that she does not meet the qualifications of a director, but Pierce continued to state that she was the acting director.

17. I asked Pierce to call the children's parents to have the children picked up from the facility. Pierce told us to "get comfortable because it's going to be a long wait." No calls were made while CCLW Uyeda and I were on site.

18. On August 24, 2022, I, along with CCLW Uyeda and CCLW Ian Tanioka (Tanioka) conducted an unannounced visit to KPS and were unable to enter the facility due to newly placed padlocks were put on the two gates to KPS. CCLW Uyeda and I asked Pierce for permission to enter the property to conduct a licensing investigation and that CCLW wants to see the sign-in sheets. Pierce responded that they are not required to have a sign-in sheet since the facility is not licensed. CCLW Uyeda explained to Pierce the importance of having a sign-in/out sheets, for example, how important it is to know how many children and which children are present at all times in case of an emergency.

19. Pierce stated that there were 11 children from the Avocado House and 16 children from the Sprout House. Pierce allowed CCLW Uyeda, Tanioka and I to access the front outside area and up the stairs to review sign-in sheets, but refused our access into the Avocado and Sprout Houses.

20. There were eight children signed in at the Avocado House. The Avocado House doors were closed and the curtains were drawn.

21. There was no sign-in sheet available for review outside of the Sprout House, so I visually did a head count of children I could see from outside. While I did the head count outside, Ms. Janet Bibilone (Bibilone) came out of the Sprout House and requested that CCLW Tanioka and I come into the Sprout House to count the children in care. I counted 19 children in the Sprout House.

22. Pierce provided the sign-in sheet for the Sprout House, with 16 children signed in.

23. Later, on August 24, 2022, CCLW Tanioka and I went back to KPS to hand deliver a Notice of Violation and Cease and Desist letter (Notice) from DHS to the Defendants informing the Defendants that they were operating illegal child care and that they needed to stop the illegal child care operations immediately. Pierce was provided two copies of this Notice, one copy for herself and another copy for Kanamori. I offered to read the Notice to Pierce twice, but she declined and stated, "I know how to read." I informed Pierce to call or email me should she have any questions. Pierce gave a thumb's up in response. A true and correct copy of the August 24, 2022, Notice of Violation and Cease and Desist letter is attached hereto and incorporated herein as Exhibit 3.

24. On September 26, 2022, CCLW Tanioka and I conducted an unannounced visit to KPS. Bibilone met us at one of the padlocked gates and stated that there were 20 children present in KPS that day.

25. On September 27, 2022, CCLW Tanioka and I conducted an unannounced visit and Bibilone met us at one of the padlocked gates and stated that there were 25 children present at the KPS that day.

26. Attached as Exhibits "1-3" are true and correct copies of those documents.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Hilo, Hawai'i,

Oct 7, 2022

*Erin Okuda*

---

ERIN OKUDA

## Okuda, Erin A.K

---

**From:** Kimberly Pierce <kimbatespierce@gmail.com>  
**Sent:** Friday, July 29, 2022 1:00 PM  
**To:** Okuda, Erin A.K  
**Cc:** Piimauna, Jana S; Raymona Souza  
**Subject:** Re: Staffing at Kalamapi'i PLAY School

Yes.

I am aware of this.

A few hours ago, especially knowing Michelle wasn't going to be able to make that fingerprint appt today, I made the decision to push back the start of school one week.

**August 8th will be our start date**

DPW will be completed with a temporary certificate of occupancy before the end of day Tuesday.

We will continue to be sure staffing is in order and meets regulations

Outstanding paperwork will be submitted Monday

Kim Pierce

Executive Director [Kalamapi'i PLAY School](#)

Founder of the [Root2Rise Counseling Center](#)

Licensed Marriage and Family Therapist

Hilo Hawaii

808.557.9537

On Fri, Jul 29, 2022 at 12:46 PM Okuda, Erin A.K <[eokuda@dhs.hawaii.gov](mailto:eokuda@dhs.hawaii.gov)> wrote:

Hi Kim,

Please read and review the following:

### Chapter 892.1

#### Licensing of Group Child Care Centers and Group Child Care Homes

§17-892.1-3.01 Fines. (a) The operation of a child care facility without a license is a violation and shall be punishable by a fine not to exceed the maximum amount allowable under the law.

(b) The following offenses may be punishable by a fine, not to exceed the maximum amount allowable under the law, and may also be subject to the denial, suspension, or revocation of a license:

- (1)Caring for more children than allowed by the facility's license;
- (2)Violation of the staff-child ratios;
- (3)Improperly certifying staff credentials;
- (4)Failure to comply with timely request for criminal history records check;
- (5)Allowing conditions to exist at the facility which constitute an imminent danger to the health, welfare, or safety of the children; or
- (6)Injuries to children due to staff negligence. [Eff and comp Dec 19 2002] (Auth: HRS §346-156)

Please let me know if you have any questions.

**Please respond and confirm that you have received this email and that you understand this Hawaii Administrative Rule.**

**Please respond no later than 4:15pm today, July 29, 2022.**

Thank you,

Erin Okuda

Child Care Licensing Worker

State of Hawaii

Department of Human Services

Benefit, Employment & Support Services Division

1990 Kinoole Street, Suite 109

Hilo, Hawaii 96720

Phone: (808) 981-4536 | Fax: (808) 981-7299



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**From:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Sent:** Friday, July 29, 2022 10:52 AM  
**To:** Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)>  
**Cc:** Okuda, Erin A.K <[eokuda@dhs.hawaii.gov](mailto:eokuda@dhs.hawaii.gov)>  
**Subject:** Re: Staffing at Kalamapi'i PLAY School

Hi Kim,

None of your staff has been approved for teacher waivers. This means you must have a PATCH registered teacher for each hale on staff and ready to go on Monday. No other staff can work in any capacity without a teacher on site in both hale and they must be there everyday that you are opened. This means that you need Raymona and Michelle there at all time. Even if the waivers are approved, a Director (Raymona and Michelle) must directly supervise them at all times in each hale.

We are going to work our best to get Michelle fingerprinted and ready, however, you still have not sent us the 948 that is needed to conduct her fingerprinting an background checks. **We need that asap.**

I have not gotten a copy of the DPW signed copy of approval for occupancy, electrical, plumbing and fire inspections. Without this we cannot issue a provisional. If it is not received today, you will not be able to open on Monday without it being considered as illegal childcare.

Unannounced visits will be conducted to assure that the site is meeting the requirements for a licensed facility.

Please get me the documents we need to complete this as soon as possible. If we have what we need, we can get the provisional issued.

Thanks

Jana

Get [Outlook for iOS](#)

**From:** Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)>  
**Sent:** Friday, July 29, 2022 10:18:45 AM  
**To:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Cc:** Okuda, Erin A.K <[eokuda@dhs.hawaii.gov](mailto:eokuda@dhs.hawaii.gov)>  
**Subject:** Staffing at Kalamapi'i PLAY School

Hey Jana and Erin

Good morning

I want to be sure you have what you need for any questions on staffing.

#### Sprout Hale

Staffed at 12:1 Ratio 28 students schedule to start Aug 1

(This hale has majority 4 year olds but is staffed entirely at the 3 year old ratio)

-Janet Bibilone - waived director/teacher (in CDA process currently)

-Grace Franchini - waived teacher (in class currently)

-Emily Kerr - waived teachers assistant (in class currently)

-Charles Haines - aide

#### Avocado Hale

Staffed at 8:1 ratio. 16 students scheduled to start Aug 1

-Mie Kanamori- director / waived teacher (in class currently) I would also like to note here that Mie has 10 years of preschool specific education, however PATCH does not recognize that academic work because it was not done in the United States. She is also bilingual

-Shannon Schafer - aide

-Leandra Keuma - aide

#### Swing staff

-Raymona Souza - Director/Teacher

-Mia Manzo - Director/Aide (awaiting PATCH update)

-Elyse Kerr - Director / Aide - September start

-Michelle Kuruhara - Teacher (pending, I don't know if /how we will use her on staff yet)

- Kim Pierce - aide

In addition we have

5 Masters level graduate LCSW students on child and family track all AIDE qualified all with an approx 12 hour work week to satisfy practicum requirement for their academic programs

-Tiana Klask

-Samathan Bailo

-Tobias Broido

-Talisen Sumner Long - Sept start

-Tiffany Bader - Sept start

Kalamapii will begin school with 44 students to ensure a safe, well supervised and enriching environment for the keiki. If building square footage measurements are what we think they are, we plan to move to 70 students by January 2023.

Thank you again for the continued support

Kim Pierce

Executive Director [Kalamapi'i PLAY School](#)

Founder of the [Root2Rise Counseling Center](#)

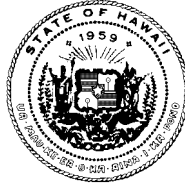
Licensed Marriage and Family Therapist

Hilo Hawaii  
808.557.9537

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STATE OF HAWAII  
**DEPARTMENT OF HUMAN SERVICES**  
Benefit, Employment & Support Services Division  
Central Hilo Unit  
1990 Kinoole Street, Suite 109  
Hilo, Hawaii 96720

August 1, 2022

Kimberly Pierce  
Kalamapii Play School  
16 Manulele Street  
Hilo, Hawaii 96720

Dear Ms. Kimberly Pierce:

Thank you for submitting your license application to operate a Group Child Care Center (GCC). The following items are missing and required in order to complete your application:

- A signed department application form (attached DHS 951) – missing Director qualified employee
- A written statement of operation policies (attached DHS 952) – number of children
- Statement of legal authority form (attached DHS 953) DHS 953 is needed for new business (Kalamapii Play School) – *submitted & complete on 5/31/2022*
- A list of your child care staff, substitutes and volunteers including your maintenance personnel (attached DHS 954) – incomplete – please ensure that all areas are complete before submitting
- Verification that the child care facility meets the applicable county codes
- Completed employment history clearance forms (attached DHS 959 & DHS 959A) for applicants, employees, substitutes, and volunteers that will be counted in the staff-child ratio – missing for Mia Manzo, Tiffany Bader, and Elise Kerr
- Results of the criminal history clearance and child abuse/neglect history check for employees, substitutes, and volunteers that are counted in the staff-child ratio (DHS 948) – missing for Michelle Kuruhara

Once the above requirements have been submitted your application will be considered complete. Once your application is considered complete, ~~we will contact you to set up an inspection~~ (an inspection was already completed on 7/28/2022). A notice of disposition of your application to approve or deny you a license will be issued no later than ninety (90) days from the date of the completed application as defined in section (17-892.1-2(a)/17-895-2(a)/17-896-2(a) is received. If you have any questions regarding the application or the requested information, please contact Ms. Erin Okuda at (808) 981-4536.

Please also submit the following by August 4, 2022 so that we may do our best to meet your potential start date of August 8, 2022:

DHS 951B Notice of Missing Application Items

**EXHIBIT 2**

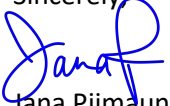
7. Lead paint assessment for the entire premises (indoor, outdoor, and outside) by an EPA certified lead assessor
8. Cover all electrical outlets (cover hole in light fixture, cover knockout holes in electrical box), wires, and pipes (must be county code compliant – exposed electrical outlets, exposed wire and hot water pipes – hot to touch when hot water is running)
9. Fix/replace all broken windows and replace all cracked windows (avocado house had 2 broken & cracked windows in classroom A, cracked glass in classroom B and D – sprout house had a broken and cracked window in classroom A)
10. Remedy termite (termite treat) and lizard/insect droppings
11. Remove cord blinds – choking hazard
12. Staff – child ratio: 1 Director and 6 Teachers per your request for one 2 year old group with 8 children, two groups of 3 yr old with 10 children each, and three groups of 4 and 5 year olds with 13 children, 13 children, and 14 children
13. No access to stairs for children (top and bottom – remedy must be DPW compliant)
14. Address and remedy poor ventilation and heat issues in buildings
15. Remove all sharp objects sticking out of walls (screws, nails, etc. in lower portion of bathroom wall in avocado house and classroom D above egress)
16. Remove splinter issues with unfinished wood in all rooms (shelves, window guards, etc.)
17. Diaper changing table needs a safety strap
18. Child locks on all refrigerators
19. No lighting in back bathroom of sprout house – add a light
20. All shelves need to be secured to walls
21. No outside access to sides and back of buildings
22. No access to under stairs
23. Asphalt does not extend to wall – hazard for falling, tripping, or getting stuck
24. Fix side of house with rotten/eaten wood on side of sprout house – safety/health hazard
25. Fix uneven outside areas or block off (in the back of the avocado house and in front of the sprout house where trees were removed – the tree removal issue was discussed during inspection)
26. Remove all rocking chairs
27. Post exit plan at all egresses
28. Food Establishment permit
29. Complete children's files
30. No pooling water on ground and playground equipment
31. Remove sink and rusty toolboxes in outside area
32. Remove construction materials – roof, concrete posts, wood, etc.
33. Set up outside equipment
34. Missing latch to secure double door
35. Adjust door latches so latches are out of children's reach (back door of sprout house)
36. Fix loose trim on bottom shelf in main room of sprout house
37. Need doorknobs/handles on bathroom doors
38. Secure drapery divider
39. Fix damaged carpet in main area of sprout house
40. Missing trim at front door of sprout house
41. Missing ac drain tube at sprout house
42. Hole and rust on security screen door at sprout house
43. Hole in wall in room in sprout house
44. Submit safety plan for gardening and composting

Ms. Kimberly Pierce

August 1, 2022

Page 3

45. Submit safety plan for having animals and insects on premises
46. Drainage – water spout does not extend to ground
47. Parking curbs in outdoor areas – metal sticking out of curbs
48. Secure water spout in the back of sprout house
49. Hole outside on asphalt (housing water pressure regulator) near sprout house approx. 9 inches deep
50. Daily noise issue - car alarm in back parking lot consistently heard throughout inspection

Sincerely,  
  
Jana Piimauna  
Supervisor

DAVID Y. IGE  
GOVERNOR



CATHY BETTS  
DIRECTOR

JOSEPH CAMPOS II  
DEPUTY DIRECTOR

STATE OF HAWAII  
**DEPARTMENT OF HUMAN SERVICES**  
BENEFIT, EMPLOYMENT AND SUPPORT SERVICES DIVISION  
1010 Richards Street, Suite 512  
Honolulu, Hawaii 96813

August 24, 2022

**HAND-DELIVERED**

Ms. Mie Kanamori  
Director  
Kalamapi'i Play School  
16 Manulele Street  
Hilo, Hawaii 96720

Dear Ms. Kanamori,

This is to inform you that the Department of Human Services (DHS) Central Hilo Unit (CHU) received information on August 23, 2022, that Kalamapi'i Play School was conducting child care without being licensed by DHS. Kalamapi'i Play School is located at 55 Ululani Street, Hilo, Hawaii 96720. As authorized by the Hawaii Revised Statutes (HRS) §346-152.3 Investigations, Child Care Licensing Worker, Erin Okuda, conducted an unannounced visit to Kalamapi'i Play School on August 23, 2022 for the purpose of determining whether you were operating without a license from DHS.

Ms. Okuda found that you and five (5) additional staff members were caring for twenty-six (26) children. During the unannounced visit, you confirmed that Kalamapi'i Play School has a full-day program from 7:30 a.m. to 3:00 p.m., and an extended program from 3:00 p.m. to 4:30 p.m., which runs Monday through Friday, and has started operations on August 22, 2022. Furthermore, DHS does not have any record of your facility holding a current child care license or having been authorized to operate a license-exempt child care program at this time.

Upon receipt of this letter, you are hereby mandated to **immediately cease and desist all child care operations at Kalamapi'i Play School located at 55 Ululani Street, Hilo, Hawaii 96720, by the close of business on Wednesday, August 24, 2022.** We are requesting that you also notify the parents or guardians of children enrolled in your child care program of the receipt of this cease and desist mandate.

Please be advised that in accordance with Hawaii Revised Statutes (HRS) §346-151 Definitions "Care" refers to those situations where a person or organization has agreed to assume and has been entrusted with the responsibility for the child's supervision, development, safety, and protection apart from the

AN EQUAL OPPORTUNITY AGENCY

**EXHIBIT 3**



Ms. Mie Kanamori  
August 24, 2022  
Page 2

parent or guardian and HRS §346-161 License for group child care home, group child care center, “no person shall operate, maintain, or conduct a group child care home or group child care center unless licensed to do so by the Department of Human Services.”

Any violation of the child care law shall result in referral to the Office of the Attorney General for appropriate legal action. HRS §346-156 Penalty; remedies states that “any person, entity, agency, or organization violating any provision of this part or any rule made pursuant thereto shall be fined up to \$1,000 for each violation; provided that the fine may be up to \$3,000 for each day for a violation of section 346-161 or 346-171.” Also, DHS may make unannounced monitoring visits to ensure your compliance with the child care law.

If you have any questions regarding the child care law or the licensing rules, please contact CHU Supervisor, Jana Piimauna, at (808) 981-7290.

Sincerely,



Scott Nakasone  
Assistant Division Administrator

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAI'I

CATHERINE BETTS, In Her Official  
Capacity as Director of the Department of  
Human Services, State of Hawai'i,

Plaintiff,

vs.

KALAMAPI'I PLAY SCHOOL; MIE  
KANAMORI; KIMBERLY PIERCE;  
JOHN DOE 1-10; JANE DOE 1-10; DOE  
ENTITIES 1-10,

Defendants.

CIVIL NO. 3CCV-22-0000308  
(Other Civil Action)

DECLARATION OF LISA GALINO;  
EXHIBITS "1-5 "

**DECLARATION OF LISA GALINO**

I, LISA GALINO, hereby declare under penalty of law that the following is true and correct and based upon my personal knowledge:

1. I am currently and have been at all relevant times herein, an employee of the State of Hawai'i Department of Human Services (DHS).
2. I have worked at DHS for a total of 28 years.
3. I have been employed by the DHS Child Care Regulation Program Office (DHS CCRPO) as a human service professional for five years.
4. In that capacity and for five years, I perform administrative rule making, policy clarifications for child care licensing and license-exempt programs and support quality in license and license-exempt programs.
5. I have personal knowledge of and I am competent to make this Declaration concerning the matters set forth herein.

6. Defendants Kimberly Pierce (Pierce), Mie Kanamori (Kanamori) (collectively referred to as Defendants) submitted to DHS CCRPO three (3) teacher waiver request forms dated August 16, 2022 for Janet Bibilone, Grace Francini and Mie Kanamori. A true and correct copy of the teacher qualification requests are attached hereto and incorporated herein as Exhibit 1.

7. My review of the teacher waiver applicants' qualifications included my consultation with People Attentive to Children (PATCH) Child Care Registry staff, Carol Wear and Leah McRae. Ms. Wear and Ms. McRae have expertise in analyzing and assessing individuals' early childhood education and experience qualifications and providing individuals with a career level framework and position qualification in a DHS licensed group child care center.

8. On August 29, 2022, I met with Pierce virtually through Zoom to discuss the additional information that is needed for the three (3) teacher waiver requests. Pierce and I also discussed the option of an additional waiver for staff member, Elise Kerr, who was qualified as an Assistant Teacher by PATCH Child Care Registry on May 31, 2022.

8a. During this meeting, it was communicated to Pierce that in order for DHS to consider approving her teacher waiver requests, Pierce had to provide a written plan of action for each teacher waiver applicant to inform DHS of who will be providing supervision, observation of the applicant with children, and meeting with the applicant to discuss curriculum and lesson plans that are developmentally appropriate to the ages of children in care on a regular basis.

8b. Since Pierce communicated that some of KPS staff members worked on a part-time basis, I told Pierce that the written plans of action shall identify the staff members' hours in order for DHS to assess the feasibility of approving all of the teacher waiver requests.

Pierce agreed to provide the requested written plans of action for Janet Bibilone, Grace Francini and Kanamori, and Elise Kerr's employment schedule.

9. From August 29, 2022 to present, Pierce and I exchanged emails regarding her teacher waiver requests that included my clarifications to Pierce of what information was further needed for a determination to be made regarding the requests.

9a. On August 30, 2022, Pierce submitted documents that I requested from our August 29, 2022, meeting related to the teacher waiver for Janet Bibilone, Grace Franchini and Kanemori. A true and correct copy of the documents that Pierce submitted is attached hereto and incorporated herein as Exhibit 2.

9b. On August 31, 2022, Pierce emailed a copy of an image of Grace Francini's Child Care Registry Form 1 to Ms. McRae and me. Ms. McRae communicated to Pierce that an image of Ms. Francini's form was not sufficient as the original form was required for PATCH Child Care Registry to process. A true and correct copy of the email communication from Ms. McRae is attached hereto and incorporated herein as Exhibit 3.

9c. On September 2, 2022, Pierce informed me via email that she hand-delivered Ms. Francini's Child Care Registry Form 1 to the PATCH office on Hawaii Island that was subsequently forwarded to the PATCH office on Oahu.

9d. On September 27, 2022, Pierce sent a follow up email regarding the status of the teacher waiver requests.

9e. On September 27, 2022, I responded to Pierce's email detailing what is needed for all her teacher waivers. A true and correct copy of the email communication I sent to Pierce is attached hereto and incorporated herein as Exhibit 4.

9f. On September 28, 2022, Pierce requested a meeting with me to discuss the teacher waiver requests.

9g. On September 29, 2022, a virtual meeting via Zoom was held between Pierce, Tanya Enrico, CCRPO Program Specialist, and me to discuss what is required by Pierce to submit for each teacher waiver request.

9h. On October 5, 2022, Pierce emailed additional questions regarding the teacher waiver requests. I emailed her back with the responses to her questions. A true and correct copy of the email communication I sent to Pierce is attached hereto and incorporated herein as Exhibit 5.

9i. To date, I have not received the requested written plans of actions from Pierce for the teacher waiver requests for Janet Bibilone, Grace Francini and Kanamori, nor have I received the requested information for Elise Kerr.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Honolulu, Hawai'i, October 7, 2022

Oct 7, 2022



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LISA GALINO

**REQUEST TO WAIVE PRESCHOOL TEACHER QUALIFICATIONS**

DHS/BESSD  
AUG 16 2022  
CENTRAL HILO UNIT (521)

This form is to request a waiver from the Teacher qualifications under the Hawaii Administrative Rules § 17-892.1-17(g) for (name) Janet Bialone, who is currently qualified as an Aide, and is being considered for hire, or is currently employed, at the following:

Child Care Center: Kalamapii PLAY School  
Address: 55 Ulukani Street Hilo HI 96720  
Phone: 808 557-9337

This pilot project waiver, if approved, would allow this Aide to fill the position of a Teacher in the event that there are no qualified applicants available for the position vacancy. Approval to waive qualifications for this Aide is conditional and subject to the Center Director providing the following documentation:

- 1) A **written plan of action** developed between the Center Director and the Aide that is designed to bring the Aide up to the proper qualifications for the Teacher position within two years. During the first six months of the Waiver period, the Center Director shall meet at least weekly with the Aide (Waiver Teacher) to review lesson plans, provide feedback about the classroom observations conducted by the Center Director or other qualified Teachers on how the Waiver Teacher works with the children in general, and provide general oversight with the Waiver Teacher's work. A qualified Teacher or Director/Director-Teacher must remain on site during this initial six month period with the Waiver Teacher. Upon receipt and review of the evidence for the fifth month milestone, the Child Care Licensing Worker shall notify the Group Child Care Center/Home in writing when the Waiver Teacher may be left alone without another qualified Teacher or Director/Director-Teacher on-site.
- 2) The plan may include one of the following options (Please circle the option being selected):
  - a. Complete 480 hours of work experience in an early childhood program and 120 hours of formal training (i.e. 40 classes of PATCH training or 9 college credits) and obtain a CDA; or
  - b. Complete 6 college credits of early childhood education (ECE) or child development (CD) as part of, or in addition to, a bachelor's degree in elementary education from an accredited college or university, plus six month experience in an early childhood program; or
  - c. Complete 12 college credits of ECE or CD as part of, or in addition to, a bachelor's degree in any field from an accredited college and six months of supervised teaching experience in an early childhood program;
  - d. Complete 16 college credits of early childhood education or child development as part of, or in addition to, an associate's or bachelor's degree, and one year of supervised teaching experience in an early childhood program; or
  - e. Other comparable options may be accepted subject to review by the Department.

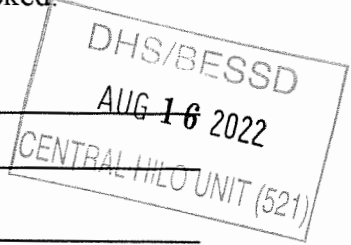
3) Evidence of progress towards completion of the two year plan of action by the fifth month milestone and one year milestone, and to submit evidence of qualification for the teacher position at the end of the approval period. If satisfactory progress is not made or a revised written plan is not submitted, this waiver agreement may be revoked.

Aide's name: Janet Bibilone

Signature: [Signature] Date: 8/16/22

Center Director's name: Mie Kanamori

Signature: [Signature] Date: 8/16/2022



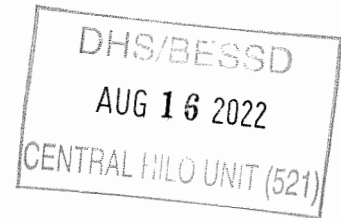
\*\*\*\*\*

Approved / Denied \_\_\_\_\_  
ABESSDA \_\_\_\_\_ Date \_\_\_\_\_

Waiver approved for period: \_\_\_\_\_

Note: The waiver is not transferable if the Aide leaves to work at another child care center.

## Teacher Waiver Plan



Janet Bibilone

- CDA Track has been in process in May 2022
- 1:1 meeting with PATCH to ensure understanding and timeline regarding CDA.
- All educational requirements have been surpassed
- 480 hours of work experience at a licensed site needs to be completed, planned for Kalamapii PLAY School as site. Hours scheduled to be completed Dec 2022
- Once completed, CDA exam will be scheduled and verification visit will be conducted.

Mrs. Bibilone has been working with children for over 30 years. The details of her educational background have been highlighted in her transcripts and resume. If required she could submit 100 family testimonies of children, she has worked with who are now up to college age. As the Director of Operations here at Kalamapi'i ,Mrs. Bibilone has masterfully created a student experience to encourage play, curiosity and learning. Regular feedback and team teach learning is encouraged at the school and outside observations would be welcomed.

Mrs. Bibilone could reasonably complete all requirements for CDA and be Teacher/Director qualified in January 2023.



# TRANSCRIPT OF ACADEMIC RECORD

Student ID: K00181965

Date of Birth: 15-MAY-1961

Date Issued: 16-NOV-2021

SSN: \*\*\*\*\*5250

Record Of: Janet L Lindenthaler  
P.O. Box 91054  
Santa Barbara, CA 93190

Issued To: JANET LINDENTHALER  
4025 STATE ST SPC 41  
SANTA BARBARA, CA 93110-2814

Course Level: Credit

SUBJ NO.	COURSE TITLE	CRED GRD	PTS R
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PRE-SYSTEM INSTITUTION SUMMARY HOURS:  
Ehrs: 16.00 GPA-Hrs: 16.00 QPts: 33.00 GPA: 2.06

**INSTITUTION CREDIT:**

Term: Summer 1983  
ENG 2 LITERATURE & COMP 3.00 F 0.00  
Term: Ehrs: 0.00 GPA-Hrs: 3.00 QPts: 0.00 GPA: 0.00

Term: Spring 1986  
ENG 2 LITERATURE & COMP 3.00 W 0.00  
MATH 1 BASIC MATHEMATICS 1.00 A 4.00  
PHILOS 14SP IP: PARANORMAL PHEN 1.00 C 2.00  
Term: Ehrs: 2.00 GPA-Hrs: 2.00 QPts: 6.00 GPA: 3.00

Term: Summer 1986  
ENG 2 LITERATURE & COMP 3.00 D 3.00  
ENG 80A COMPOS/WRIT MICRO 1.00 NC 0.00  
MUS 5 MUSIC HIST & APPREC 3.00 F 0.00  
Term: Ehrs: 3.00 GPA-Hrs: 6.00 QPts: 3.00 GPA: 0.50

Term: Fall 1989  
ECE 2 CHLD-FAM-COMM 3.00 A 12.00  
ECE 3 PRIN & PRACTICES 5.00 A 20.00  
Term: Ehrs: 8.00 GPA-Hrs: 8.00 QPts: 32.00 GPA: 4.00

Term: Spring 1990  
ECE 4 PRIN & PRACTICES 5.00 A 20.00  
ECE 8 CREATIVE LEARNING 3.00 A 12.00  
ECE 52B DISPLNE:EFF APPRCH 1.00 A 4.00  
ECE 53G QUALITY GROUPTIMES 1.00 A 4.00

\*\*\*\*\* CONTINUED ON NEXT COLUMN \*\*\*\*\*

SUBJ NO.	COURSE TITLE	CRED GRD	PTS R
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Institution Information continued:  
ECE 54I INF/TOD SOC/EMO SOC 1.00 W 0.00  
PSYCH 4 CHILD DEVELOPMENT 3.00 W 0.00  
Term: Ehrs: 10.00 GPA-Hrs: 10.00 QPts: 40.00 GPA: 4.00

Term: Fall 1990  
ECE 6 LANG & COGNITION 5.00 B 15.00  
Term: Ehrs: 5.00 GPA-Hrs: 5.00 QPts: 15.00 GPA: 3.00

Term: Spring 1991  
COMM 21 INTERPERSONAL COMM 3.00 W 0.00  
ECE 5 EXCEPTIONAL CHILD 5.00 A 20.00  
ECE 9 PAR-TCHR-CHILD REL 3.00 A 12.00  
Term: Ehrs: 8.00 GPA-Hrs: 8.00 QPts: 32.00 GPA: 4.00

Term: Fall 1991  
ECE 107 ADMIN/NURS SCH 3.00 W 0.00  
PSYCH 100 GENERAL PSYCHOLOGY 3.00 F 0.00  
Term: Ehrs: 0.00 GPA-Hrs: 3.00 QPts: 0.00 GPA: 0.00

\*\*\*\*\* TRANSCRIPT TOTALS \*\*\*\*\*  

Earned Hrs	GPA Hrs	Points	GPA
TOTAL INSTITUTION	62.00	61.00	161.00 2.64

\*\*\*\*\* END OF TRANSCRIPT \*\*\*\*\*



Not considered official without Seal or Registrar's signature.

5,636 874

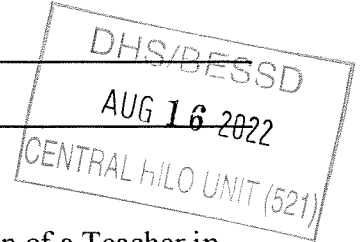
Santa Barbara Community College District  
721 Cliff Drive, Santa Barbara, CA 93109-2394  
(805) 965-0581

Director, Admissions & R

**REQUEST TO WAIVE PRESCHOOL TEACHER QUALIFICATIONS**

This form is to request a waiver from the Teacher qualifications under the Hawaii Administrative Rules § 17-892.1-17(g) for (name) Grace Franchini, who is currently qualified as an Aide, and is being considered for hire, or is currently employed, at the following:

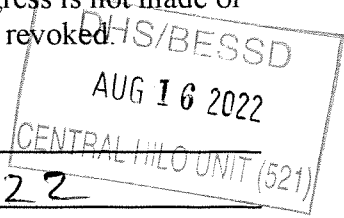
Child Care Center: Kalamapii PLAY School  
Address: 55 Uluani Street Hilo HI 96720  
Phone: 808 557-9537



This pilot project waiver, if approved, would allow this Aide to fill the position of a Teacher in the event that there are no qualified applicants available for the position vacancy. Approval to waive qualifications for this Aide is conditional and subject to the Center Director providing the following documentation:

- 1) A **written plan of action** developed between the Center Director and the Aide that is designed to bring the Aide up to the proper qualifications for the Teacher position within two years. During the first six months of the Waiver period, the Center Director shall meet at least weekly with the Aide (Waiver Teacher) to review lesson plans, provide feedback about the classroom observations conducted by the Center Director or other qualified Teachers on how the Waiver Teacher works with the children in general, and provide general oversight with the Waiver Teacher's work. A qualified Teacher or Director/Director-Teacher must remain on site during this initial six month period with the Waiver Teacher. Upon receipt and review of the evidence for the fifth month milestone, the Child Care Licensing Worker shall notify the Group Child Care Center/Home in writing when the Waiver Teacher may be left alone without another qualified Teacher or Director/Director-Teacher on-site.
- 2) The plan may include one of the following options (Please circle the option being selected):
  - a. Complete 480 hours of work experience in an early childhood program and 120 hours of formal training (i.e. 40 classes of PATCH training or 9 college credits) and obtain a CDA; or
  - b. Complete ~~6~~ college credits of early childhood education (ECE) or child development (CD) as part of, or in addition to, a bachelor's degree in elementary education from an accredited college or university, plus six month experience in an early childhood program; or
  - c. Complete 12 college credits of ECE or CD as part of, or in addition to, a bachelor's degree in any field from an accredited college and six months of supervised teaching experience in an early childhood program;
  - d. Complete 16 college credits of early childhood education or child development as part of, or in addition to, an associate's or bachelor's degree, and one year of supervised teaching experience in an early childhood program; or
  - e. Other comparable options may be accepted subject to review by the Department.

- 3) Evidence of progress towards completion of the two year plan of action by the fifth month milestone and one year milestone, and to submit evidence of qualification for the teacher position at the end of the approval period. If satisfactory progress is not made or a revised written plan is not submitted, this waiver agreement may be revoked.



Aide's name: Grace Franchini  
Signature: Grace Franchini Date: 8/16/22

Center Director's name: Mie Hanamon  
Signature: Mie Hanamon Date: 8/16/2022

\*\*\*\*\*

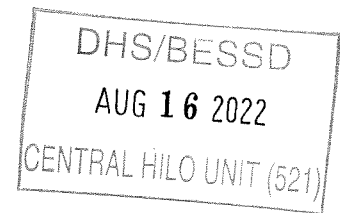
Approved / Denied \_\_\_\_\_  
ABESSDA \_\_\_\_\_ Date \_\_\_\_\_

Waiver approved for period: \_\_\_\_\_

Note: The waiver is not transferable if the Aide leaves to work at another child care center.

## Teacher Waiver Plan

Grace Franchini



- Completed Masters in Education at UH Hilo May 2022, PATCH has been notified and given diploma, registry pending update
- Completed HDSF 230 course at Hawaii Community College over this last summer – transcripts sent to PATCH, registry pending update
- Currently enrolled in ECED 131 and ECED 105 at Hawaii Community College, courses begin Aug 22nd
- Planning to enroll in ECED 110 for Spring 2023 at HCC

Grace Fanchini has spent the last 5 years teaching at a DOE elementary school. She is excellent with young ones. Her desire to learn and increase her knowledge was shown at her eagerness to complete the summer school course. At the end of this fall semester, she will have completed all education and experience requirements for Teacher.

Due to her love of early childhood education and her desire to make this her long term career choice she is considering the additional class in the spring as that complete the ECE certificate that is available.

5 month progress report would be submitted once fall classes are complete (but will have been completed in 3 months) This would complete teacher requirements.

12 month progress report would be submitted to show if she decided to complete the certificate track.

## Unofficial Undergraduate Transcript

Name: Grace Franchini  
Student ID: 010407264

Birthdate: XXXX-04-26  
Institution Info: Cal Poly Humboldt  
Print Date: 2022-08-15

## Transfer Credits

## Transfer Credit from Hawaii Community College

Undergraduate Degree Seeking

	Attempted	Earned	GPA Units	Points
Transfer GPA: 4.000	3.000	3.000	3.000	12.000
Transfer Totals	3.000	3.000	3.000	12.000

## Transfer Credit from Advanced Placement Test

Undergraduate Degree Seeking

	Attempted	Earned	GPA Units	Points
Transfer GPA: 0.000	9.000	9.000	0.000	0.000
Transfer Totals	9.000	9.000	0.000	0.000

Beginning of Undergraduate Record  
FALL 2011

Course	Description	Attempted	Earned	Grade	Points
ANTH 104	Cultural Anthropology	3.000	3.000	A-	11.100
ANTH 113	Anthro Skills Development	2.000	2.000	A	8.000
NAS 104	Intro to Nat American Studies	3.000	3.000	B+	9.900
PE 144	Stretch & Relaxation Technique	1.000	1.000	CR	0.000
PE 289	Special Topics - Activity	1.000	0.000	NC	0.000
Course Topic:	Pilates				
STAT 108	Elementary Statistics	4.000	4.000	B	12.000
		Attempted	Earned	GPA Units	Points
Term GPA: 3.416	Term Totals	14.000	13.000	12.000	41.000
HSU GPA: 3.416	HSU Totals	14.000	13.000	12.000	41.000
Cumulative GPA: 3.533	Cum Totals	26.000	25.000	15.000	53.000

Good Standing

## SPR 2012

Course	Description	Attempted	Earned	Grade	Points
ANTH 306	World Regions Cultural Studies	3.000	3.000	B+	9.900
Course Topic:	Race/Class/Culture S. Africa				
GEOL 106	Earthquake Country	3.000	3.000	A-	11.100
RS 105	World Religions	3.000	3.000	B	9.000
WLDF 111	Introduction to Wildlife	1.000	1.000	CR	0.000
WS 106	Intro to Women's Studies	3.000	3.000	A	12.000
		Attempted	Earned	GPA Units	Points
Term GPA: 3.500	Term Totals	13.000	13.000	12.000	42.000
HSU GPA: 3.458	HSU Totals	27.000	26.000	24.000	83.000
Cumulative GPA: 3.518	Cum Totals	39.000	38.000	27.000	95.000

Good Standing

## FALL 2012

Course	Description	Attempted	Earned	Grade	Points
ART 103	Introduction to Art History	3.000	3.000	B	9.000
COMM 100	Fund Speech Comm	3.000	3.000	B+	9.900
HIST 111	U S History Since 1877	3.000	3.000	B-	8.100
PE 259	Yoga	1.000	0.000	NC	0.000
PHIL 104	Asian Philosophy	3.000	3.000	B+	9.900
		Attempted	Earned	GPA Units	Points
Term GPA: 3.075	Term Totals	13.000	12.000	12.000	36.900
HSU GPA: 3.330	HSU Totals	40.000	38.000	36.000	119.900
Cumulative GPA: 3.382	Cum Totals	52.000	50.000	39.000	131.900

Good Standing

## SPR 2013

Course	Description	Attempted	Earned	Grade	Points
ART 105C	Color & Design	3.000	3.000	B	9.000
BIOL 104	General Biology	3.000	3.000	B-	8.100
FOR 100	Crit Thinking Soc & Env Respons	3.000	3.000	B	9.000
PSCI 110	American Government	3.000	3.000	B-	8.100
SPAN 105	Spanish Level I	4.000	4.000	B+	13.200
SPAN 110	Spanish Language Laboratory	1.000	1.000	A	4.000
Course Topic:	Language Lab for SPAN 105				
		Attempted	Earned	GPA Units	Points
Term GPA: 3.023	Term Totals	17.000	17.000	17.000	51.400
HSU GPA: 3.232	HSU Totals	57.000	55.000	53.000	171.300
Cumulative GPA: 3.273	Cum Totals	69.000	67.000	56.000	183.300

Good Standing

## FALL 2013

Course	Description	Attempted	Earned	Grade	Points
ART 104I	20th Century Art	3.000	3.000	A	12.000
ART 105B	Beginning Drawing	3.000	3.000	B+	9.900
ART 357B	Curr & Dvlpmnt Thru Art Educ I	3.000	3.000	A	12.000
RS 394	Religious Studies Workshop	1.000	1.000	CR	0.000
Course Topic:	City of 10,000 Buddhas Weekend				
SED 210	Early Fldwrk Exp in Schools	1.000	1.000	CR	0.000
SED 410	Observation & Participation	1.000	1.000	A	4.000
SPAN 106	Spanish Language & Culture II	4.000	4.000	B+	13.200
SPAN 106L	Spanish Laboratory Level II	1.000	1.000	A	4.000
		Attempted	Earned	GPA Units	Points
Term GPA: 3.673	Term Totals	17.000	17.000	15.000	55.100
HSU GPA: 3.329	HSU Totals	74.000	72.000	68.000	226.400
Cumulative GPA: 3.357	Cum Totals	86.000	84.000	71.000	238.400

Good Standing

## SPR 2014

Course	Description	Attempted	Earned	Grade	Points
ART 106	Beg Painting	3.000	3.000	A	12.000
ART 301	Topics in Western Art History	3.000	3.000	A-	11.100
Course Topic:	Art and Agency				
ART 357C	Curr & Dev Thru Art Educ II	3.000	3.000	B	9.000
HED 400	Sound Mind-Sound Body	3.000	3.000	A	12.000
SPAN 107	Spanish Language & Culture III	4.000	4.000	B+	13.200
SPAN 107L	Spanish Laboratory Level III	1.000	1.000	A	4.000
		Attempted	Earned	GPA Units	Points
Term GPA: 3.605	Term Totals	17.000	17.000	17.000	61.300
HSU GPA: 3.384	HSU Totals	91.000	89.000	85.000	287.700
Cumulative GPA: 3.405	Cum Totals	103.000	101.000	88.000	299.700

Good Standing

## FALL 2014

Course	Description	Attempted	Earned	Grade	Points
ART 109	Beg Sculpture	3.000	3.000	B	9.000
ART 251	Beginning Digital Photography	3.000	3.000	B+	9.900
ART 326	Inter Painting	3.000	3.000	A-	11.100
ART 497S	Service Learning and Art Ed I	3.000	3.000	A-	11.100
		Attempted	Earned	GPA Units	Points
Term GPA: 3.425	Term Totals	12.000	12.000	12.000	41.100
HSU GPA: 3.389	HSU Totals	103.000	101.000	97.000	328.800
Cumulative GPA: 3.408	Cum Totals	115.000	113.000	100.000	340.800

Good Standing

## SPR 2015

Course	Description	Attempted	Earned	Grade	Points
ART 122	Life Drawing I	3.000	3.000	B+	9.900
ART 290	Beg Ceramics	3.000	3.000	A-	11.100
ART 303	Global Contemporary Art	3.000	3.000	A	12.000
ART 498S	Service Learning and Art Ed II	3.000	3.000	A	12.000
		Attempted	Earned	GPA Units	Points
Term GPA: 3.750	Term Totals	12.000	12.000	12.000	45.000
HSU GPA: 3.429	HSU Totals	115.000	113.000	109.000	373.800
Cumulative GPA: 3.444	Cum Totals	127.000	125.000	112.000	385.800

Term Honor: Dean's List

Good Standing

## FALL 2015

Course	Description	Attempted	Earned	Grade	Points
ANTH 303	Human Biology & Evolution	3.000	3.000	B+	9.900
ART 321	Intermediate Drawing	3.000	3.000	A	12.000
ART 329	Advanced Painting	3.000	3.000	A	12.000
ART 350	Intermed Ceramics: High Fire	3.000	3.000	B+	9.900
ART 396B	Workshop	1.000	1.000	A	4.000
Course Topic:	San Francisco Field Trip				
PE 118	Bowling	1.000	0.000	NC	0.000
		Attempted	Earned	GPA Units	Points
Term GPA: 3.676	Term Totals	14.000	13.000	13.000	47.800
HSU GPA: 3.455	HSU Totals	129.000	126.000	122.000	421.600
Cumulative GPA: 3.468	Cum Totals	141.000	138.000	125.000	433.600

Term Honor: Dean's List

Good Standing

Unofficial Postbaccalaureate Transcript

Name: Grace Franchini  
 Student ID: 010407264

Birthdate: XXXX-04-26  
 Institution Info: Cal Poly Humboldt  
 Print Date: 2022-08-15

Beginning of Postbaccalaureate Record  
 SPR 2016

Course	Description	Attempted	Earned	Grade	Points
ART 496	Seminar in Art	3 000	3 000	A-	11.100
Course Topic:	Honors Painting				

	Attempted	Earned	GPA Units	Points		
Term GPA	3 700	Term Totals	3 000	3 000	3 000	11 100
HSU GPA	3 700	HSU Totals	3 000	3 000	3 000	11 100
Cumulative GPA	3 700	Cum Totals	3 000	3 000	3 000	11 100

Good Standing

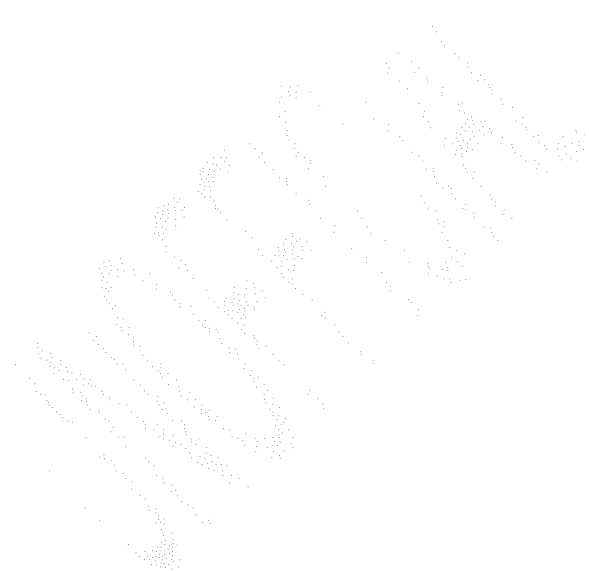
Postbaccalaureate Career Totals

	Attempted	Earned	GPA Units	Points		
HSU GPA	3 700	HSU Totals	3 000	3 000	3 000	11 100
Cumulative GPA	3 700	Cum Totals	3 000	3 000	3 000	11 100

Degrees Awarded

Degree: Bachelor of Arts  
 Confer Date: 2015-12-22  
 Plan: Art (Education)

End of Transcript



Unofficial Undergraduate Transcript

Name: Grace Franchini  
 Student ID: 010407264

Birthdate: XXXX-04-26  
 Institution Info: Cal Poly Humboldt  
 Print Date: 2022-08-15

FALL 2013

Transfer Credits

Transfer Credit from Hawaii Community College

Undergraduate Degree Seeking

	Attempted	Earned	GPA Units	Points
Transfer GPA	4 000	3 000	3 000	12 000

Transfer Credit from Advanced Placement Test

Undergraduate Degree Seeking

	Attempted	Earned	GPA Units	Points
Transfer GPA	0.000	9 000	0 000	0 000

Beginning of Undergraduate Record  
 FALL 2011

Course	Description	Attempted	Earned	Grade	Points	
ANTH 104	Cultural Anthropology	3 000	3 000	A-	11 100	
ANTH 113	Anthro Skills Development	2 000	2 000	A	8 000	
NAS 104	Intro to Nat American Studies	3 000	3 000	B+	9 900	
PE 144	Stretch & Relaxation Technique	1 000	1 000	CR	0 000	
PE 289	Special Topics - Activity	1 000	0 000	NC	0 000	
Course Topic:	Pilates					
STAT 108	Elementary Statistics	4 000	4 000	B	12 000	
		<u>Attempted</u>	<u>Earned</u>	<u>GPA Units</u>	<u>Points</u>	
Term GPA	3 416	Term Totals	14 000	13 000	12 000	41 000
HSU GPA	3 416	HSU Totals	14 000	13 000	12 000	41 000
Cumulative GPA	3 533	Cum Totals	26 000	25 000	15 000	53 000

Good Standing

SPR 2012

Course	Description	Attempted	Earned	Grade	Points	
ANTH 306	World Regions Cultural Studies	3 000	3 000	B+	9 900	
Course Topic:	Race/Class/Culture S. Africa					
GEOG 106	Earthquake Country	3 000	3 000	A-	11 100	
RS 105	World Religions	3 000	3 000	B	9 000	
WLDF 111	Introduction to Wildlife	1 000	1 000	CR	0 000	
WS 106	Intro to Women's Studies	3 000	3 000	A	12 000	
		<u>Attempted</u>	<u>Earned</u>	<u>GPA Units</u>	<u>Points</u>	
Term GPA	3 500	Term Totals	13 000	13 000	12 000	42 000
HSU GPA	3 458	HSU Totals	27 000	26 000	24 000	83 000
Cumulative GPA	3 518	Cum Totals	39 000	38 000	27 000	95 000

Good Standing

FALL 2012

Course	Description	Attempted	Earned	Grade	Points	
ART 103	Introduction to Art History	3 000	3 000	B	9 000	
COMM 100	Fund Speech Comm	3 000	3 000	B+	9 900	
HIST 111	U.S. History Since 1877	3 000	3 000	B-	8 100	
PE 259	Yoga	1 000	0 000	NC	0 000	
PHIL 104	Asian Philosophy	3 000	3 000	B+	9 900	
		<u>Attempted</u>	<u>Earned</u>	<u>GPA Units</u>	<u>Points</u>	
Term GPA	3 075	Term Totals	13 000	12 000	12 000	36 900
HSU GPA	3 330	HSU Totals	40 000	38 000	36 000	119 900
Cumulative GPA	3 382	Cum Totals	52 000	50 000	39 000	131 900

Good Standing

SPR 2013

Course	Description	Attempted	Earned	Grade	Points	
ART 105C	Color & Design	3 000	3 000	B	9 000	
BIOL 104	General Biology	3 000	3 000	B-	8 100	
FOR 100	Crit Thinking Soc & Env Respons	3 000	3 000	B	9 000	
PSCI 110	American Government	3 000	3 000	B-	8 100	
SPAN 105	Spanish Level I	4 000	4 000	B+	13 200	
SPAN 110	Spanish Language Laboratory	1 000	1 000	A	4 000	
Course Topic:	Language Lab for SPAN 105					
		<u>Attempted</u>	<u>Earned</u>	<u>GPA Units</u>	<u>Points</u>	
Term GPA	3 023	Term Totals	17 000	17 000	17 000	51 400
HSU GPA	3 232	HSU Totals	57 000	55 000	53 000	171 300
Cumulative GPA	3 273	Cum Totals	69 000	67 000	56 000	183 300

Good Standing

Course	Description	Attempted	Earned	Grade	Points	
ART 104I	20th Century Art	3 000	3 000	A	12 000	
ART 105B	Beginning Drawing	3 000	3 000	B+	9 900	
ART 357B	Curr & Dvlpmnt Thru Art Educ I	3 000	3 000	A	12 000	
RS 394	Religious Studies Workshop	1 000	1 000	CR	0 000	
Course Topic:	City of 10,000 Buddhas Weekend					
SED 210	Early Fldwrk Exp in Schools	1 000	1 000	CR	0 000	
SED 410	Observation & Participation	1 000	1 000	A	4 000	
SPAN 106	Spanish Language & Culture II	4 000	4 000	B+	13 200	
SPAN 106L	Spanish Laboratory Level II	1 000	1 000	A	4 000	
		<u>Attempted</u>	<u>Earned</u>	<u>GPA Units</u>	<u>Points</u>	
Term GPA	3 673	Term Totals	17 000	17 000	15 000	55 100
HSU GPA	3 329	HSU Totals	74 000	72 000	68 000	226 400
Cumulative GPA	3 357	Cum Totals	86 000	84 000	71 000	238 400

Good Standing

SPR 2014

Course	Description	Attempted	Earned	Grade	Points	
ART 106	Beg Painting	3 000	3 000	A	12 000	
ART 301	Topics in Western Art History	3 000	3 000	A-	11 100	
Course Topic:	Art and Agency					
ART 357C	Curr & Dev Thru Art Educ II	3 000	3 000	B	9 000	
HED 400	Sound Mind-Sound Body	3 000	3 000	A	12 000	
SPAN 107	Spanish Language & Culture III	4 000	4 000	B+	13 200	
SPAN 107L	Spanish Laboratory Level III	1 000	1 000	A	4 000	
		<u>Attempted</u>	<u>Earned</u>	<u>GPA Units</u>	<u>Points</u>	
Term GPA	3 605	Term Totals	17 000	17 000	17 000	61 300
HSU GPA	3.384	HSU Totals	91 000	89 000	85 000	287 700
Cumulative GPA	3 405	Cum Totals	103 000	101 000	88 000	299 700

Good Standing

FALL 2014

Course	Description	Attempted	Earned	Grade	Points	
ART 109	Beg Sculpture	3 000	3 000	B	9 000	
ART 251	Beginning Digital Photography	3 000	3 000	B+	9 900	
ART 326	Inter Painting	3 000	3 000	A-	11 100	
ART 497S	Service Learning and Art Ed I	3 000	3 000	A-	11 100	
		<u>Attempted</u>	<u>Earned</u>	<u>GPA Units</u>	<u>Points</u>	
Term GPA	3 425	Term Totals	12 000	12 000	12 000	41 100
HSU GPA	3 389	HSU Totals	103 000	101 000	97 000	328 800
Cumulative GPA	3 408	Cum Totals	115 000	113 000	100 000	340 800

Good Standing

SPR 2015

Course	Description	Attempted	Earned	Grade	Points	
ART 122	Life Drawing I	3 000	3 000	B+	9 900	
ART 290	Beg Ceramics	3 000	3 000	A-	11 100	
ART 303	Global Contemporary Art	3 000	3 000	A	12 000	
ART 498S	Service Learning and Art Ed II	3 000	3 000	A	12 000	
		<u>Attempted</u>	<u>Earned</u>	<u>GPA Units</u>	<u>Points</u>	
Term GPA	3 750	Term Totals	12 000	12 000	12 000	45 000
HSU GPA	3 429	HSU Totals	115 000	113 000	109 000	373 800
Cumulative GPA	3 444	Cum Totals	127 000	125 000	112 000	385 800

Good Standing

FALL 2015

Course	Description	Attempted	Earned	Grade	Points	
ANTH 303	Human Biology & Evolution	3 000	3 000	B+	9 900	
ART 321	Intermediate Drawing	3 000	3 000	A	12 000	
ART 329	Advanced Painting	3 000	3 000	A	12 000	
ART 350	Intermed Ceramics: High Fire	3 000	3 000	B+	9 900	
ART 396B	Workshop	1 000	1 000	A	4 000	
Course Topic:	San Francisco Field Trip					
PE 118	Bowling	1 000	0 000	NC	0 000	
		<u>Attempted</u>	<u>Earned</u>	<u>GPA Units</u>	<u>Points</u>	
Term GPA	3 676	Term Totals	14 000	13 000	13 000	47 800
HSU GPA	3 455	HSU Totals	129 000	126 000	122 000	421 600
Cumulative GPA	3 468	Cum Totals	141 000	138 000	125 000	433 600

Good Standing

Unofficial Postbaccalaureate Transcript

Name: Grace Franchini  
 Student ID: 010407264

Birthdate: XXXX-04-26  
 Institution Info: Cal Poly Humboldt  
 Print Date: 2022-08-15

Beginning of Postbaccalaureate Record  
 SPR 2016

<u>Course</u>	<u>Description</u>	<u>Attempted</u>	<u>Earned</u>	<u>Grade</u>	<u>Points</u>
ART 496 Course Topic	Seminar in Art Honors Painting	3 000	3 000	A-	11.100
		<u>Attempted</u>	<u>Earned</u>	<u>GPA Units</u>	<u>Points</u>
Term GPA	3.700	Term Totals	3 000	3 000	3.000 11.100
HSU GPA	3.700	HSU Totals	3 000	3 000	3.000 11.100
Cumulative GPA	3.700	Cum Totals	3 000	3 000	3.000 11.100

Good Standing

Postbaccalaureate Career Totals

		<u>Attempted</u>	<u>Earned</u>	<u>GPA Units</u>	<u>Points</u>
HSU GPA	3.700	HSU Totals	3 000	3 000	3.000 11.100
Cumulative GPA	3.700	Cum Totals	3.000	3 000	3.000 11.100

Degrees Awarded

Degree: Bachelor of Arts  
 Confer Date: 2015-12-22  
 Plan: Art (Education)

End of Transcript







**University of Hawai'i System - Campus Report**

Monday, 15 August 2022, 11:13:40 AM

Banner ID: 1993-3390

Name: Grace I. Franchini

Program: Hawaii CC Undergraduate  
Liberal Arts AS/ECED

**General Tests**

Test Date	Test Type	Test Score
2010-04-17 00:00:00	Archived COMPASS Algebra	043
2010-04-17 00:00:00	Archived COMPASS Reading	092
2010-04-17 00:00:00	Archived COMPASS Writing	098
2022-07-31 00:00:00	Human Eval English Placement	102
2022-08-01 00:00:00	Human Eval English Placement	100

**Campus Report by Semester for Hilo**

**Summary of Transfer Work Totals into Hilo**

**Transfer Institution**      **Inst Type**      **Transferable Credits**

Degrees (Petitioned and Awarded)

Status

Hilo \*\*\* Awarded \*\*\* (MAY-14-2022) a HIL Graduate MA in Teaching, Concentration EDEL for Spring 2022

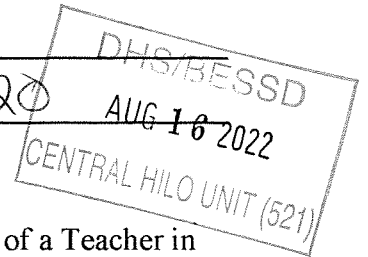
**Campus Report by Semester for Hilo**

	Subject	No	Title	Lvl	Credits	Grade	Notes	Actions/Comments
<b>Summer 2020</b>	ED	640	Learner Development	GR	2.00	A		
	ED	643	Learning Environments I	GR	1.00	A		
	ED	650	Teaching in Hawaii's Schools	GR	1.00	A		
	ED	660	Professional Responsibility I	GR	1.00	CR		
	ED	670	Field Experience I	GR	1.00	CR		
<b>Fall 2020</b>	ED	641	Learning Differences	GR	3.00	A		
	ED	644	Learning Environments II	GR	1.00	A		
	ED	651	Elem Instructional Practice	GR	2.00	A		
	ED	652	Elem LA/SS Pedagogy	GR	2.00	A		
	ED	653	Elem MT/SC Pedagogy	GR	2.00	A		
	ED	654	Tech Instruction & Assessment	GR	2.00	A		
	ED	661	Professional Responsibility II	GR	1.00	CR		
<b>Spring 2021</b>	ED	671	MAT Field Experience II	GR	2.00	CR		
	ED	645	Learning Environments III	GR	2.00	A		
	ED	659	Professional Practice	GR	3.00	A		

**REQUEST TO WAIVE PRESCHOOL TEACHER QUALIFICATIONS**

This form is to request a waiver from the Teacher qualifications under the Hawaii Administrative Rules § 17-892.1-17(g) for (name) MIE KANAMORI, who is currently qualified as an Aide, and is being considered for hire, or is currently employed, at the following:

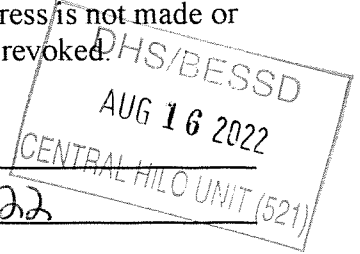
Child Care Center: Kahamapii PLAY School  
Address: 55 ULULANI STREET HILO HI 96720  
Phone: 808 557 9537



This pilot project waiver, if approved, would allow this Aide to fill the position of a Teacher in the event that there are no qualified applicants available for the position vacancy. Approval to waive qualifications for this Aide is conditional and subject to the Center Director providing the following documentation:

- 1) A **written plan of action** developed between the Center Director and the Aide that is designed to bring the Aide up to the proper qualifications for the Teacher position within two years. During the first six months of the Waiver period, the Center Director shall meet at least weekly with the Aide (Waiver Teacher) to review lesson plans, provide feedback about the classroom observations conducted by the Center Director or other qualified Teachers on how the Waiver Teacher works with the children in general, and provide general oversight with the Waiver Teacher's work. A qualified Teacher or Director/Director-Teacher must remain on site during this initial six month period with the Waiver Teacher. Upon receipt and review of the evidence for the fifth month milestone, the Child Care Licensing Worker shall notify the Group Child Care Center/Home in writing when the Waiver Teacher may be left alone without another qualified Teacher or Director/Director-Teacher on-site.
- 2) The plan may include one of the following options (Please circle the option being selected):
  - a. Complete 480 hours of work experience in an early childhood program and 120 hours of formal training (i.e. 40 classes of PATCH training or 9 college credits) and obtain a CDA; or
  - b. Complete 6 college credits of early childhood education (ECE) or child development (CD) as part of, or in addition to, a bachelor's degree in elementary education from an accredited college or university, plus six month experience in an early childhood program; or
  - c. Complete 12 college credits of ECE or CD as part of, or in addition to, a bachelor's degree in any field from an accredited college and six months of supervised teaching experience in an early childhood program;
  - d. Complete 16 college credits of early childhood education or child development as part of, or in addition to, an associate's or bachelor's degree, and one year of supervised teaching experience in an early childhood program; or
  - e. Other comparable options may be accepted subject to review by the Department.

3) Evidence of progress towards completion of the two year plan of action by the fifth month milestone and one year milestone, and to submit evidence of qualification for the teacher position at the end of the approval period. If satisfactory progress is not made or a revised written plan is not submitted, this waiver agreement may be revoked.



Aide's name: Mie Kanamori

Signature: Mie Kanamori Date: 8/16/2022

Center Director's name: Mie Kanamori

Signature: Mie Kanamori Date: 8/16/2022

\*\*\*\*\*

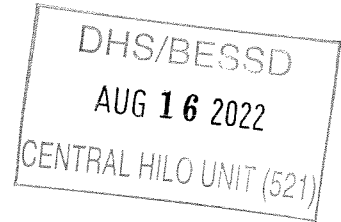
Approved / Denied \_\_\_\_\_  
ABESSDA Date

Waiver approved for period: \_\_\_\_\_

Note: The waiver is not transferable if the Aide leaves to work at another child care center.

## Teacher Waiver Plan

Mie Kanamori



- Mie has been in preschool education for over 10 years.
- Details of academics have been submitted to show relevance of her education and work experience to include undergraduate and graduate transcripts
- Due to difficulties resulting from lack of reciprocity between Hawaii and other countries, much of her education experience has not been counted toward her current PATCH registry status
- Mie is currently enrolled in Hawaii Community college courses ECE 103 and ECE 131 starting Aug 22<sup>nd</sup>.
- Mie would like to continue with the Hawaii educational requirements and plans to enroll in the spring semester in ECE 110. This would complete all requirements for the ECE certificate available thru the Community College

Mie has preschool teaching experience in 3 countries, speaks two languages and has also worked in other preschool settings here in Hilo. As she has stated she feels that the play-based curriculum at Kalamapi'i PLAY school is a long term fit for her. She is already Director Qualified.

6 months from now progress report would show all Teacher education requirements met for current Hawaii statute.

Date: 01/Jun/2013  
Time: 10:53:10.76

Student Code: 129058252  
Student SCJ Code: 129058252/2

HESA Number: 1210780049200

MS Mie Kanamori  
1-1201-306 KIKYODAIRA MORIYAMA NAGOYA AICHI JAPAN  
463-0814



**University of  
Sunderland**

FACULTY OF EDUCATION & SOCIETY

PRIESTMAN BUILDING  
ALBION PLACE  
SUNDERLAND SR1 3PZ  
UNITED KINGDOM

TEL 0191 515 3430  
FAX 0191 515 3415  
www.sunderland.ac.uk

UNIVERSITY OF SUNDERLAND  
Transcript for Academic Year 2012/13

Programme: Post Graduate Certificate of Education, HE DISTANCE LEARN (FULL TIME 24 WEEKS OR MORE), Level 1.  
Year of Programme: 1  
Campus: Independent Learner

Enrolment Status: LEFT

Date Enrolled: 12/Sep/2012  
Date Left Programme: 26/Jun/2013

MODULE CODE	MODULE DESCRIPTION	AGE MARK	GRADE	CREDIT	LEVEL	SEMESTER
EDE208	Theory Of Teaching 1	48%	PASS	20	2	SEM1
EDE313	Theory Of Teaching 2	56%	PASS	20	3	SEM1
EDPM01	Development Of Learning: A Case Study	45%	PASS	10	4	SEM1
EDS208	Practice Of Teaching 1		PASS	20	2	SEM1
EDS313	Practice Of Teaching 2		PASS	20	3	SEM1
EPDM97	Negotiated Individual Study In Education	42%	PASS	10	4	SEM1

Module Credits Attained

Stage/Level Zero: 0 Stage/Level One: 0 Stage/Level Two: 40 Stage/Level Three: 0 Masters: 0  
60

OVERALL DECISION FOR THIS ACADEMIC YEAR: Award (Final) Obtained  
PROGRAMME AWARD OBTAINED: (Qualification): Post Graduate Certificate in Education

DATE AWARDED: 26 Jun 2013

The details shown above are as held in the student's computer file at the date of the document.  
They may be subject to change.

This programme was studied and assessed in English.

Please note: if you have not submitted any assessment for a module, and have been offered a referral opportunity before the start of next academic year (for example, in September), you MUST submit work for this referral, and you must do so BEFORE the start of next academic year. If you do not do so, you may be failed in the module, with no further attempt possible.



DEAN  
PROFESSOR GARY HOLMES  
BA MSc

VICE-CHANCELLOR & CHIEF EXECUTIVE  
PROFESSOR PETER FIDLER  
CBE MBE DL MSc MRTP



# University of Sunderland

FACULTY OF EDUCATION & SOCIETY

DAVID GOLDMAN INFORMATICS CENTRE  
SIR TOM COWIE CAMPUS AT ST PETER'S  
SUNDERLAND SR6 0DD

UNITED KINGDOM  
[www.sunderland.ac.uk](http://www.sunderland.ac.uk)

29<sup>th</sup> June 2021

**Confidential reference:** Mie Kanamori  
**Programme:** Post Graduate Certificate in Education  
**Student number:** 129058252  
**Period of Study:** September 2012 to June 2013  
**Date of Award:** 26<sup>th</sup> June 2013

To whom it may concern,

The student, hereafter referred to as a 'trainee', has successfully completed a PGCE Education with the University of Sunderland and has been awarded the qualification of PGCE Education on 26<sup>th</sup> June 2013.

The programme is a 34-week full time course of Initial Teacher Training, taught in the medium of English, validated by the University of Sunderland, and comprised of three taught academic modules and two, six-week blocks of practical teaching.

The Practice of Teaching and Theory of Teaching modules include elements that focus on relevant education topics and the related teaching standards at approximately the same time, thus achieving a high level of integration between theory and practice. The other two modules are studied at Master's Level and are designed for the trainee to engage in reflective, independent study in order to support development as a teacher-researcher. Support is provided throughout by experienced teachers, Personal Academic Tutors, and Module Leaders and, where possible, a trainee is visited by a Professional Practice Tutor.

## TEACHING PRACTICUM 1

<b>School</b>	Nagoya International School
<b>Key Stage/s</b>	KS2
<b>Age range/s</b>	7-8
<b>Curriculum taught</b>	IB/PYP
<b>Subject/s taught</b>	Writing, Reading, Mathematics, Science and Unit of Inquiry
<b>Start and end date</b>	21/10/2012 to 15/12/2012
<b>Observer details</b>	Bruce Forster
<b>Minimum hours completed</b>	66 hours



ACADEMIC DEAN  
PROFESSOR LYNN MCKENNA  
Ed.D M.Ed B.Ed(Hons)



**University of  
Sunderland**

FACULTY OF EDUCATION & SOCIETY

DAVID GOLDMAN INFORMATICS CENTRE  
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SUNDERLAND SR6 0DD

UNITED KINGDOM

[www.sunderland.ac.uk](http://www.sunderland.ac.uk)

**The Practice of Teaching 2: EDS313 (200 study hours)**

Trainees teach a limited teaching timetable, averaging 14 hours weekly, and will normally cover two Key Stages. The remainder of the time will be used for planning, assessment, reflection, evaluation and academic study. Assessment is made by the trainee's mentor and University tutors through a profile of evidence of teaching standards and observed teaching.

**Development of Learning: A Case Study (EDPM01)**

This MA level module required the trainee to identify and then develop a research-focused case study examining the way in which the school/college/setting in which they were placed addressed and supported the particular educational needs of a particular small group of pupils over a short period of time. This allowed the trainee to synthesise context relevant policies, theories, and good practice models in order to develop their own knowledge of critical perspectives and pupil support mechanisms at macro and micro level.

**Negotiated Individual Study in Education (EPDM97)**

This MA level module provided the trainee with the opportunity to structure and undertake a piece of independent academic study (action research) related to their own school and/or classroom context. The module is designed to effect improvements in pedagogical practice and understanding and to enhance regimented and research-driven approaches towards teaching and learning.

The above information is intended to clarify the structure and content of the PGCE programme sat by the aforementioned trainee and to give specific contextual details regarding the subjects and curricula taught by the trainee during the practicum module.

Where further information may be required, please do not hesitate to contact the programme leader and the programme support team via the contact details below.

Yours faithfully

A handwritten signature in black ink that reads "Ian Elliott".

**Ian Elliott**  
PGCE Education Programme Leader  
University of Sunderland School of Education  
[ian.elliott@sunderland.ac.uk](mailto:ian.elliott@sunderland.ac.uk)  
[fes.pgceosadmin@sunderland.ac.uk](mailto:fes.pgceosadmin@sunderland.ac.uk)

Whilst all reasonable efforts have been made to ensure the truth and the accuracy of the statements made in this reference, neither the person giving the reference nor the University will be held responsible in any way for any errors, omissions or misstatements contained in this reference.

This reference has been prepared in accordance with the University of Sunderland's guidance for academic



ACADEMIC DEAN  
PROFESSOR LYNN MCKENNA  
Ed.D M.Ed B.Ed(Hons)



Official Academic Transcript from:  
CALIFORNIA STATE UNIVERSITY, SAN BERNARDINO  
OFFICE OF THE REGISTRAR  
5500 UNIVERSITY PARKWAY  
SAN BERNARDINO, CA 92407-2397



TELEPHONE: 909-537-5268

Official Academic Transcript of:  
MIE KANAMORI  
Transcript Created: 16-Jan-2020

Document Type: THIRD-PARTY SECURE PDF

Intended Recipient:  
MIE KANAMORI  
620 ALLENDALE RD #61094  
KING OF PRUSSIA, PA 19406-5140

E-Mail: kanamorimie@gmail.com

Requested by:  
MIE KANAMORI  
620 ALLENDALE RD #61094  
KING OF PRUSSIA, PA 19406-5140

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Order Number: OAR727747- 1  
Telephone: (847) 716-3005

E-Mail: kanamorimie@gmail.com

#### Statement of Authenticity

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#### Colleges and Universities

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Official Undergraduate Transcript

Name: Mie Kanamori  
 Student ID: 002780153  
 Birthdate: 1982-06-14



RAISED SEAL NOT REQUIRED

Director/University Registrar

Federal and State Laws state that this student's record must be used only for the intended purpose and that release or disclosure to unauthorized other parties without the prior written consent of the student (or former student) is prohibited.

This official university transcript is printed on secured paper and does not require a raised seal

Spring 2003

Regular Academic Session (3/29/2003 - 6/14/2003)					
Course	Description	Attempted	Earned	Grade	Points
HIST 200	U S HIST TO 1877 1st Discount of Course	4 000	0 000	WU	0 000
HSCI 120	HEALTH&SOC, ECOL APPRCH	5 000	5 000	B	15 000
MATH 110	COLLEGE ALGEBRA	4 000	4 000	C	8 000
SPAN 102	COLLEGE SPAN II	4 000	4 000	B-	10 800
Term GPA		2 600	Term Totals 17 000	13 000	33 800
CSUSB GPA		3 097	CSUSB Totals 97 000	64 000	198 200
Cumulative GPA		3 097	Cum Totals 97 000	64 000	198 200

Fall 2004

Regular Academic Session (9/23/2004 - 12/11/2004)					
Course	Description	Attempted	Earned	Grade	Points
INFO 309	INFO MANAGEMENT	4 000	4 000	B+	13 200
MGMT 330	LEGAL ENVIR BUS	4 000	4 000	C	8 000
MKTG 305	MARKETING PRINCIPLES	4 000	4 000	A	16 000
SCM 304	PRINCIPLES OF SUPPLY CHAIN MGM	4 000	4 000	C	8 000
SSCI 316	RACE AND RACISM	4 000	4 000	C	8 000
Term GPA		2 660	Term Totals 20 000	20 000	53 200
CSUSB GPA		2 998	CSUSB Totals 163 000	126 000	377 800
Cumulative GPA		2 998	Cum Totals 163 000	126 000	377 800

Fall 2003

Regular Academic Session (9/25/2003 - 12/13/2003)					
Course	Description	Attempted	Earned	Grade	Points
ANTH 100	INTRO ANTH-HUMAN EVOLUTION	4 000	0 000	W	0 000
ECON 200	PRIN MICROECONOMICS	4 000	4 000	A	16 000
PSCI 203	AMERICAN GOVERNMENT	4 000	4 000	C-	6 800
PSYC 115	PERSONAL & SOCIAL ADJ	2 000	2 000	B	6 000
Term GPA		2 880	Term Totals 14 000	10 000	28 800
CSUSB GPA		3 068	CSUSB Totals 111 000	74 000	227 000
Cumulative GPA		3 068	Cum Totals 111 000	74 000	227 000

Winter 2005

Regular Academic Session (1/8/2005 - 3/26/2005)					
Course	Description	Attempted	Earned	Grade	Points
ACCT 212	INTRO ACCOUNTING II	4 000	4 000	B	12 000
MGMT 306	EXPOSITORY WRITING ADMN	4 000	4 000	B+	13 200
MGMT 335	BUSINESS&SOCIETY	4 000	4 000	B	12 000
MGMT 451	ORG & MGMT THEORY	4 000	4 000	A	16 000
Term GPA		3 325	Term Totals 16 000	16 000	53 200
CSUSB GPA		3 035	CSUSB Totals 179 000	142 000	431 000
Cumulative GPA		3 035	Cum Totals 179 000	142 000	431 000

Winter 2004

Regular Academic Session (1/3/2004 - 3/20/2004)					
Course	Description	Attempted	Earned	Grade	Points
ECON 202	PRIN MACROECONOMICS	4 000	4 000	C	8 000
MGMT 405	INTERNATIONAL MGMT	4 000	4 000	B-	10 800
MSCI 210	APP BUS STATISTIC	4 000	4 000	A-	14 800
SSCI 165	REGIONS&PEOPLES OF WORLD	4 000	4 000	A	16 000
Term GPA		3 100	Term Totals 16 000	16 000	49 600
CSUSB GPA		3 073	CSUSB Totals 127 000	90 000	276 600
Cumulative GPA		3 073	Cum Totals 127 000	90 000	276 600

Spring 2005

Regular Academic Session (4/2/2005 - 6/18/2005)					
Course	Description	Attempted	Earned	Grade	Points
FIN 313	BUSINESS FINANCE	4 000	4 000	A	16 000
MGMT 350	ADMIN COMMUNICATIONS	4 000	4 000	B-	10 800
MGMT 490	STRATEGIC MGMT	4 000	4 000	A	16 000
PA 315	GOV-BUS RELATIONS	4 000	4 000	B	12 000
Term GPA		3 425	Term Totals 16 000	16 000	54 800
CSUSB GPA		3 075	CSUSB Totals 195 000	158 000	485 800
Cumulative GPA		3 075	Cum Totals 195 000	158 000	485 800

Spring 2004

Regular Academic Session (3/27/2004 - 6/12/2004)					
Course	Description	Attempted	Earned	Grade	Points
ACCT 211	INTRO ACCT I	4 000	4 000	B	12 000
HIST 200	U S HIST TO 1877 Discount Replacement Course	4 000	4 000	C+	9 200
MGMT 230	BUSINESS LAW	4 000	4 000	B-	10 800
MGMT 302	MGMT & ORGANIZN BEHAV	4 000	4 000	A	16 000
Term GPA		3 000	Term Totals 16 000	16 000	48 000
CSUSB GPA		3 062	CSUSB Totals 143 000	106 000	324 600
Cumulative GPA		3 062	Cum Totals 143 000	106 000	324 600

Summer 2005

Regular Academic Session (6/22/2005 - 9/7/2005)					
Course	Description	Attempted	Earned	Grade	Points
MGMT 575	INTERNSHP IN MGMT	4 000	4 000	CR	0 000
Six Week - First (6/22/2005 - 8/1/2005)					
Course	Description	Attempted	Earned	Grade	Points
HUM 375	WORLD OF ISLAM	4 000	4 000	A	16 000
KINE 114F	YOGA	2 000	2 000	A	8 000
Term GPA		4 000	Term Totals 10 000	10 000	24 000
CSUSB GPA		3 109	CSUSB Totals 205 000	168 000	509 800
Cumulative GPA		3 109	Cum Totals 205 000	168 000	509 800

Official Transcript of Academic Record – Transcript Legend

California State University, San Bernardino  
 Office of the Registrar  
 5500 University Parkway  
 San Bernardino, CA 92407  
 909-537-5268; Fax 909-537-7021  
 Director/University Registrar: Amy Braceros

**Accreditation:** California State University, San Bernardino is accredited by the Western Association of Schools and Colleges, the agency which grants national accreditation to colleges and universities in the Western United States. The teaching credential programs are approved by the California State Board of Education and California Commission on Teacher Credentialing. The University began instruction in 1965 as a state college. In July 1984 it became California State University, San Bernardino.

**Credits:** CSUSB is on the quarter system with ten weeks of instruction per quarter. All units are in quarter units. A unit of credit represents one hour of class time.

**Course Numbering System:** Effective September 1972 the course numbering system was expanded to include:

- 001-099 Non-degree applicable credit.
- 100-299 Lower-division courses designed primarily for freshmen and sophomores.
- 300-599 Upper-division courses of junior and senior level; graduate credit may be awarded if course is accepted in a specific graduate program.
- 600-699 Courses for postbaccalaureate and graduate students only.
- 700-799 Courses for doctoral students only.
- 990-999 Special comprehensive exams, projects, etc.; units not awarded.
- X Extension courses.
- X800-X989 & X1000-X9999 Courses offered through extension only. (Credit not degree applicable.)
- 100IP-699IP Courses taken by students in the International Programs.
- E300-E699 Credit earned in continuing education program for residence credit pursuant to an external degree program.

**Grading System:** A standard system of grading is followed in all college departments as listed in the table below

GRADE	DEFINITION	GRADE POINTS
A	Excellent	4.0
A-		3.7
B+		3.3
B	Good	3.0
B-		2.7
C+		2.3
C	Satisfactory	2.0
C-		1.7
D+		1.3
D	Passing	1.0
D-		0.7
F	Failing	0.0
W	Withdrawal	Not Calculated in GPA
WU	Withdrawal Unauthorized	0.0
I	Incomplete	Not Calculated in GPA
U	Unauthorized Incomplete	0.0
IC	Incomplete Charged	0.0
SP	Satisfactory Progress	Not Calculated in GPA
RP	Report in Progress	Not Calculated in GPA
CR	Credit	Not Calculated in GPA
NC	No Credit	Not Calculated in GPA
CBE	Credit by Exam	Not Calculated in GPA
CBX	Credit by Exam – Remedial Course	Not Calculated in GPA
AU	Audit	Not Calculated in GPA
RD	Report Delayed	Not Calculated in GPA

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**From:** [Kimberly Pierce](#)  
**To:** [King, Lila C](#)  
**Cc:** [Luka, Dayna](#); [Galino, Lisa](#); [Betts, Catherine A](#); [Sen. Laura Acasio](#); [Piimauna, Jana S](#)  
**Subject:** Re: Kalamapi'i Play School- Child Care Licensing Discussion  
**Date:** Tuesday, August 30, 2022 1:07:24 PM  
**Attachments:** [image0.png](#)  
[Teacher Waiver Plan Franchini.docx](#)  
[Teacher Waiver Plan - Kanamori.docx](#)  
[Written Plan of Action.docx](#)

---

Thank you for your time yesterday Lila, Lisa, Dayna and Senator Acasio.  
I also hope that DHS Director Cathy Betts was a part of the debrief following our meeting.

My hope is that we can continue to move forward. I do believe that is also what you want.

Regarding the staff and teacher waiver considerations we discussed:

Grace Franchini

- the completed classes and transcripts for Masters Degree in Education completed - previously submitted to PATCH and attached here (1)
- proof of ECE Summer School class completed, HDFS 230 - previously submitted to PATCH and attached here (2)
- proof of current enrolment in ECE 105 and 131 - previously submitted to PATCH and attached here (2)
- Grace is also scheduled for Spring Class 110 - registration is not open for spring, so documentation from HCC not possible at this time
- Teacher Waiver for Grace Franchini - submitted to Central Licensing Supervisor, Jana Piimauna attached again here (3)

Mie Kanemori

- Current enrollment in ECE 105 and 131 - submitted to PATCH and attached again here (4)
- Teacher waiver plan for Mie Kanemore - submitted to Jana Piimauna attached again here (5)

Janet Bibilone

In yesterday's conversation it was suggested we met with Jowette (Career Development with PATCH) which we had EXTENSIVELY approximately 5 months ago and have had ongoing contact.. Upon her recommendation, a teacher waiver request was submitted in MAY with option A selected.

Following yesterday's conversation, it was determined that the more appropriate selection for this individual is **option E**.

We have completed the document and have included it here for review. (6)

Elise Kerr

Elise Kerr had contact PATCH via on 8/22 asking about a specific continuing education opportunity. She has not heard back. Once her request has been responded to regarding available classes (she was asking to enroll in a program for this semester) we will submit documentation of that plan. She intends to complete a final ECE class in the spring semester at the latest. It does not appear that the DHS 973 teacher waiver request form applies to her as she is moving from Teachers Assistant to Teacher, and only needs 3 college credits to do that. She is already Director Qualified.

A written plan of action to be signed by Mia Manzo and Elise Kerr (as suggested by Daya

Luka) has been drafted and attached here. Please review Mrs. Luka and we can correspond directly regarding any changes you suggest.

Kim Pierce  
Executive Director [Kalamapi'i PLAY School](#)  
Founder of the [Root2Rise Counseling Center](#)  
Licensed Marriage and Family Therapist  
Hilo Hawaii  
808.557.9537

On Fri, Aug 26, 2022 at 2:06 PM King, Lila C <[lking@dhs.hawaii.gov](mailto:lking@dhs.hawaii.gov)> wrote:

Aloha Ms. Pierce,

Thank you for your response. We will be sending out a Teams meeting invite for *Monday, August 29, 2022 at 1:30p.m.*

Mahalo,

Lila King

Special Assistant to the Director  
Department of Human Services  
State of Hawaii  
(808) 586-4949  
[lking@dhs.hawaii.gov](mailto:lking@dhs.hawaii.gov)

To report suspected Child Abuse and or Neglect: 1-888-380-3088

Available 24 hours a day, 7 days a week

To report suspected Human Trafficking of Children: 1-888-398-1188

Available 24 hours a day, 7 days a week

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**From:** [Leah McRae](#)  
**To:** [Kimberly Pierce](#)  
**Cc:** [Luka, Dayna](#); [Carol Wear](#); [Galino, Lisa](#)  
**Subject:** RE: Request for Review for Staff Qualifications  
**Date:** Wednesday, August 31, 2022 1:12:04 PM  
**Attachments:** [image002.png](#)

---

Hi Kim,

Please send any updates for **Registry** qualifications directly to the PATCH Registry Office on Oahu, via the U.S. Postal Service. The address is on the Form 1 and also in my signature box below.

Registry cannot accept emailed or faxed copies of the Registry Form 1 and/or supporting documents, as we need the applicant's original/wet signature on the Form 1, authorizing processing and updates.

Any education or work experience updates for **Registry** qualifications must be accompanied by the Registry Form 1. By applying for the PATCH Scholarship, a practitioner is not updating their Registry. The Registry Office does not have access to Scholarship applications or decisions.

If you have any questions or need further assistance, please let me know.

Mahalo,

Leah



**Leah McRae**

Registry Specialist II

560 N. Nimitz Hwy Suite 218

Honolulu, HI 96817

[www.patchhawaii.org](http://www.patchhawaii.org)

Registry Tel (808) 839-1791

Direct (808) 550-3838

Fax (808) 694-3077

[lmcrae@patch-hi.org](mailto:lmcrae@patch-hi.org)

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**EXHIBIT 3**



Support PATCH when shopping on Amazon

**From:** Kimberly Pierce <kimbatespierce@gmail.com>  
**Sent:** Wednesday, August 31, 2022 12:48 PM  
**To:** Leah McRae <lmcrae@PATCH-HI.ORG>  
**Cc:** Luka, Dayna <DLuka@dhs.hawaii.gov>; Carol Wear <cwear@PATCH-HI.ORG>; Galino, Lisa <LisaGalino@dhs.hawaii.gov>  
**Subject:** Re: Request for Review for Staff Qualifications

Thank you for the loop around on this  
Grace Franchini emailed Jowett directly with transcripts for the completed masters degree, as soon as it was received post graduation May 26th.  
She also e mailed following the completion of her summer school class  
There had been correspondence between Grace and the PATCH office regarding the scholarship for the summer school class, but was never asked to complete another Form 1 document in order to update.  
She was unaware (as was I) that the Form 1 document would need to be completed again, in order to update the registry.  
I have attached an image of the Form 1 document below.  
Hard copies of the Form 1 to include application signature/date along with hardcopy transcripts are being submitted to Waianuenu office by hand now.

Kim Pierce  
Executive Director [Kalamapi'i PLAY School](#)  
Founder of the [Root2Rise Counseling Center](#)  
Licensed Marriage and Family Therapist  
Hilo Hawaii  
808.557.9537

On Wed, Aug 31, 2022 at 11:15 AM Leah McRae <[lmcrae@patch-hi.org](mailto:lmcrae@patch-hi.org)> wrote:

Aloha,  
To date, Registry has not received these transcripts. When hard copies of these transcripts are submitted with a hard copy of the Registry Form 1, signed and dated by the applicant, Registry will apply and record the following:

MA in Teaching 5/2022 from UH Hilo  
3 ECE credits for HDFS 230 Human Dev 8/2022 from Hawaii CC.

To be Assistant Teacher qualified, she will need:

➤ 6 additional ECE/CD credits (for a total of 9 ECE/CD credits)

**AND**

- 6 months full time work experience in an early childhood program, verified.

To be Teacher qualified, she will need:

- 9 additional ECE/CD credits (for a total of 12 ECE/CD credits)

**AND**

- 6 months full time work experience in an early childhood program, verified.

The Hawaii CC transcript lists an additional 6 ECE credits she will be pursuing during the Fall 2022 semester (ECED 105 & ECED 131), but as those courses have not been completed, they would not be applied nor recorded at this time. When those courses have been completed, she will need to submit a hard copy of her transcript verifying course completion with a hard copy of the Registry Form 1, signed and dated by the applicant.

If you have any questions or need further assistance, please let me know.

Mahalo,

Leah



**Leah McRae**  
Registry Specialist II  
560 N. Nimitz Hwy Suite 218  
Honolulu, HI 96817  
[www.patchhawaii.org](http://www.patchhawaii.org)

Registry Tel (808) 839-1791  
Direct (808) 550-3838  
Fax (808) 694-3077  
[lmcrae@patch-hi.org](mailto:lmcrae@patch-hi.org)

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**From:** Luka, Dayna <[DLuka@dhs.hawaii.gov](mailto:DLuka@dhs.hawaii.gov)>  
**Sent:** Wednesday, August 31, 2022 10:37 AM  
**To:** Leah McRae <[lmcrae@PATCH-HI.ORG](mailto:lmcrae@PATCH-HI.ORG)>  
**Cc:** Carol Wear <[cwear@PATCH-HI.ORG](mailto:cwear@PATCH-HI.ORG)>; Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>;  
Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)>  
**Subject:** Request for Review for Staff Qualifications

Hi Leah,

I believe you and Lisa Galino have been in contact regarding some of the staff members at Kalamapi'i Play School. I recently received the 2 attachments for Grace Franchini and noticed that they are not reflected in our HANA system in her registry node. Can you please advise if the attachments are sufficient for her registry qualifications to be updated? I have copied the owner of Kalamapi'i Play School, Kim Pierce, in the email since the attachments were sent by her.

We are currently evaluating a teacher waiver request that was submitted for Grace and would like to verify her qualifications thus far to make an assessment on the timeframe that she would be able to complete preschool teacher qualifications.

Thank you,

*Dayna Luka*

*Child Care Regulation Program Administrator*

*State of Hawaii*

*Dept. of Human Services*

*Benefit, Employment & Support Services Division*

*1010 Richards St., Suite 512*

*Honolulu, HI 96813*

*Phone: (808) 586-7058*

*Fax: (808) 586-5744*

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**From:** [Galino, Lisa](#)  
**To:** [Kimberly Pierce](#); [Leah McRae](#)  
**Cc:** [Luka, Dayna](#); [Carol Wear](#); [Piimauna, Jana S](#); [Sen. Laura Acasio](#)  
**Subject:** RE: Request for Review for Staff Qualifications  
**Date:** Tuesday, September 27, 2022 1:18:32 PM  
**Attachments:** [image002.png](#)

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Hi Kim,

Sorry for the delayed response. Thank you for submitting the additional documents. As mentioned in our meeting, the department currently has two different teacher waiver opportunities; one exists in the admin rules in the Hawaii Administrative Rules (HAR) §17-892.1-17(i), which waives a qualified individual to a position one step higher. Therefore, if approved, an assistant teacher would be waived into a teacher position or an aide waived into an assistant teacher position. The other waiver opportunity is our “super waiver” which would waive an aide into a teacher position as long as preschool teacher qualifications are completed within 2 years. The waiver period shall not exceed a 2-year period. Please note that each waiver has their own conditions that the teacher waiver applicant and the child care facility must meet before approval is granted.

Based on the three (3) teacher waivers submitted and possibly waiving assistant teacher qualified Elise Kerr to a teacher, we have outlined additional documents we need from you.

**JANET BIBILONE:**

1. Super Waiver option A: CDA
2. Anticipated end date when Janet will receive her CDA (which can be written in the plan of action)
3. Written plan of action
  - Outline the steps that Janet will take to become teacher qualified
  - Should also address the need of 480 hours of work experience (within the last 3 years)
  - Should also address the supervision piece – who will be supervising Janet?
  - Written plan of action signed by Janet and director

**GRACE FRANCHINI:**

1. Super Waiver option C: needs a total of 12 college ECE credits; 3 college ECE credits submitted needs 6 college ECE credits and 6 months full time work experience.
2. Anticipated end date when Grace will obtain her 6 college ECE credits (which can be written in the plan of action)
3. Written plan of action
  - Outline the steps that Grace will take to become teacher qualified
  - Should also address the supervision piece
  - Written plan of action signed by Grace and director

**MIE KANAMORI:**

1. Super Waiver option C: needs 12 college ECE credits
2. Anticipated end date when Mie will obtain her 12 college ECE credits (which can be written in the plan of action)
3. Written plan of action

- Outline the steps that Mie will take to become teacher qualified
- Should also address the supervision piece
- Written plan of action signed by Mie and director

**ELISE KERR:**

1. Assistant teacher to teacher waiver HAR §17-892.1-17(i): needs 3 college ECE credits
2. Anticipated end date when Elise will obtain her 3 college ECE credits (which can be written in the plan of action)
3. Written plan of action
  - Outline the steps that Elise will take to become teacher qualified
  - Written plan of action signed by Elise and director
4. Indicate if her employment is fulltime or part-time and her days/times she's present.

You may submit the required documents to Lisa Galino at [LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov) by October 2, 2022 or sooner.

Thank you,  
Lisa

---

**From:** Kimberly Pierce <kimbatespierce@gmail.com>

**Sent:** Tuesday, September 27, 2022 11:05 AM

**To:** Leah McRae <lmcrae@patch-hi.org>

**Cc:** Luka, Dayna <DLuka@dhs.hawaii.gov>; Carol Wear <cwear@patch-hi.org>; Galino, Lisa <LisaGalino@dhs.hawaii.gov>; Piimauna, Jana S <jpiimauna@dhs.hawaii.gov>; Sen. Laura Acasio <senacasio@capitol.hawaii.gov>

**Subject:** Re: Request for Review for Staff Qualifications

Following up on this, regarding the consideration for teacher waivers.

Last communication from me to the group was on Sept 2nd.

At that time, a resubmittal of a FORM 1 document for Grace Franchini was included

Are there additional documents still needed?

Has a decision been made regarding teacher waiver.

Status update would be appreciated.

Kim Pierce

Executive Director [Kalamapi'i PLAY School](#)

Founder of the [Root2Rise Counseling Center](#)

Licensed Marriage and Family Therapist

Hilo Hawaii

808.557.9537

On Fri, Sep 2, 2022 at 2:33 PM Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)> wrote:

My apologies, not yesterday  
Submitted Wednesday Noon time Aug 31st.  
Are you waiting for the postal service to deliver?  
Or do you think under the circumstances it's reasonable to move forward with the information submitted electronically, knowing hard copies are on the way, sent directly from PATCH Waianuenue office to PATCH Honolulu office?

Kim Pierce  
Executive Director [Kalamapi'i PLAY School](#)  
Founder of the [Root2Rise Counseling Center](#)  
Licensed Marriage and Family Therapist  
Hilo Hawaii  
808.557.9537

On Fri, Sep 2, 2022 at 2:29 PM Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)> wrote:

Yesterday at approximately noon, I sent the electronic images of the FORM 1 document to the PATCH team to include Leah  
I also hand then delivered it to the Waianuenue office and Shanna was nice enough to put it in the snail mail. Next time I will send direct to Honolulu  
We were unaware a FORM 1 needed to be resubmitted, as we had already submitted all updates regarding Grace's completed education to include Masters degree (May) and Summer school (July)

Kim Pierce  
Executive Director [Kalamapi'i PLAY School](#)  
Founder of the [Root2Rise Counseling Center](#)  
Licensed Marriage and Family Therapist  
Hilo Hawaii  
808.557.9537

On Fri, Sep 2, 2022 at 2:24 PM Leah McRae <[lmcrae@patch-hi.org](mailto:lmcrae@patch-hi.org)> wrote:

Aloha Dayna,  
To date, Registry has not received any updated paperwork for Grace Franchini.  
Mahalo,  
Leah

**Leah McRae**  
Registry Specialist II



560 N. Nimitz Hwy Suite 218  
Honolulu, HI 96817

[www.patchhawaii.org](http://www.patchhawaii.org)

Registry Tel (808) 839-1791

Direct (808) 550-3838

Fax (808) 694-3077

[lmcrae@patch-hi.org](mailto:lmcrae@patch-hi.org)

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**From:** Luka, Dayna <[DLuka@dhs.hawaii.gov](mailto:DLuka@dhs.hawaii.gov)>

**Sent:** Friday, September 2, 2022 2:03 PM

**To:** Leah McRae <[lmcrae@PATCH-HI.ORG](mailto:lmcrae@PATCH-HI.ORG)>; Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)>

**Cc:** Carol Wear <[cwear@PATCH-HI.ORG](mailto:cwear@PATCH-HI.ORG)>; Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>

**Subject:** RE: Request for Review for Staff Qualifications

Hi Leah,

May I please follow up to see if there are any updates to the status of the actions below?

Thanks,

Dayna

---

**From:** Leah McRae <[lmcrae@PATCH-HI.ORG](mailto:lmcrae@PATCH-HI.ORG)>

**Sent:** Wednesday, August 31, 2022 1:12 PM

**To:** Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)>

**Cc:** Luka, Dayna <[DLuka@dhs.hawaii.gov](mailto:DLuka@dhs.hawaii.gov)>; Carol Wear <[cwear@PATCH-HI.ORG](mailto:cwear@PATCH-HI.ORG)>; Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>

**From:** [Galino, Lisa](#)  
**To:** [Kimberly Pierce](#)  
**Subject:** RE: Request for Review for Staff Qualifications  
**Date:** Wednesday, October 5, 2022 3:11:00 PM  
**Attachments:** [image002.png](#)

---

Hi Kim,

Here are the answers to your questions:

1. Who do you suggest signing the waiver for Mie Kanamori? **Yes, Mie can not sign her own waiver. So, you can sign the waiver since you are the Owner and Executive Director of Kalamapii Play School**
2. There is confusion about the 480 hours of work experience. **If Janet has 480 hours of work experience, you can submit documentation. The comment on the "completed within the last 3 years" is information that PATCH registry informed me about how the CDA Council will verify that that the 480 hours of experience was completed within the last 3 years.**
3. Does the early childhood teaching experience need to be completed at a license facility? **No. As long as work experience is done with young children (working in early childhood education program).**

Thank you,  
Lisa

---

**From:** Kimberly Pierce <kimbatespierce@gmail.com>  
**Sent:** Wednesday, October 5, 2022 8:21 AM  
**To:** Galino, Lisa <LisaGalino@dhs.hawaii.gov>  
**Subject:** Re: Request for Review for Staff Qualifications

Hello Lisa  
Looping around here regarding teacher waivers

Three questions

- Who do you suggest signing the waiver for Mie Kanamori? She would be the waived teacher, but she is also currently Director. Can she sign her own?
- There is some confusion about the 480 hours of work experience. For Janet Bibilone is this still required? In your e mail you write "completed within the last 3 years" which she has done. Either way is fine, just want to detail it correctly.
- Does the early childhood teaching experience need to be completed at a licensed facility? If so, it will need to be sufficient that the waiver action plan state "6 months post issuance of license for Kalamapi'i PLAY School", this would allow the clock to start - so to speak, so the waived staff (Grace and Mia, maybe Janet if she needs) could start accumulating those hours.

Thanks Lisa

Kim Pierce  
Executive Director [Kalamapi'i PLAY School](#)  
Founder of the [Root2Rise Counseling Center](#)  
Licensed Marriage and Family Therapist  
Hilo Hawaii  
808.557.9537

On Wed, Sep 28, 2022 at 4:16 PM Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)> wrote:

Hi Kim,

I am available at 11:30 tomorrow. I would also like another specialist, Tanya Enrico, sit in on the call too.

I do not have the capability to provide a zoom link unless you do. Otherwise it will be a call to me and I can try to do a three way call to Tanya.

You can call (808) 586-5712.

Thank you,  
Lisa

---

**From:** Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)>

**Sent:** Wednesday, September 28, 2022 8:15 AM

**To:** Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>

**Subject:** Re: Request for Review for Staff Qualifications

Lisa - what is the best phone number for you?

May I schedule a call or zoom with you?

Have you seen the prior teacher waiver and written actions plans that were submitted on Aug 31st? Also ,wanted to also check in regarding the super waiver w the two year timeline. I hadn't heard that term before.

Original waiver for Janet Bibilone was option A, it was suggested on our call together to change that, and I believe you are suggesting we move back to requesting waiver based on option A?

Happy to work with you to make it fit the best we can, just want to be be sure I understand what is being asked.

Tomorrow, Thursday 11:30 I am available

And can be flexible Friday.

Let me know what is best.

Thank you Lisa

Kim Pierce

Executive Director [Kalamapi'i PLAY School](#)

Founder of the [Root2Rise Counseling Center](#)

Licensed Marriage and Family Therapist

Hilo Hawaii

808.557.9537

On Tue, Sep 27, 2022 at 1:18 PM Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)> wrote:

| Hi Kim,

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT  
STATE OF HAWAI'I

CATHERINE BETTS, In Her Official  
Capacity as Director of the Department of  
Human Services, State of Hawai'i,

Plaintiff,

vs.

KALAMAPI'I PLAY SCHOOL; MIE  
KANAMORI; KIMBERLY PIERCE;  
JOHN DOE 1-10; JANE DOE 1-10; DOE  
ENTITIES 1-10,

Defendants.

CIVIL NO. 3CCV-22-0000308  
(Other Civil Action)

DECLARATION OF JANA PIIMAUNA;  
EXHIBITS "1-12"

**DECLARATION OF JANA PIIMAUNA**

I, JANA PIIMAUNA, hereby declare under penalty of law that the following is true and correct and based upon my personal knowledge:

1. I am currently and have been at all relevant time herein, an employee of the State of Hawai'i Department of Human Services (DHS).
2. I have been employed by the DHS as a Human Services Professional for six (6) years.
3. I have been employed by the DHS Central Hilo Unit Child Care Licensing (DHS CHU) as a Supervisor for (3) three years.
4. In that capacity and for three years, I oversee child care licensing, registration and investigation of illegal child care.
5. I am the Supervisor for DHS CHU Child Care Licensing Workers (CCLW) Human Service Professionals and I provide oversight of the Kalamapi'i Play School (KPS) application for a license to operate a group child care center at 55 Ululani Street, Hilo, Hawaii 96720.



6. I am assisting the assigned CCLW, Erin Okuda, to investigate the August 23, 2022 complaint against KPS, Kimberly Pierce (Pierce) and Mie Kanamori (Kanamori) (collectively referred to as Defendants) for conducting illegal child care.

7. I have personal knowledge of and I am competent to make this Declaration concerning the matters set forth herein.

8. Defendants submitted to DHS CHU five separate applications for a license to operate a group child care center called KPS at 55 Ululani Street, Hilo, Hawaii 96720. The dates of the applications submitted are:

- a. November 25, 2021, wherein Pierce identified herself as the director of KPS,
- b. April 4, 2022, wherein Pierce identified the director as KPS as “TBD”,
- c. May 30, 2022, wherein a person by the name of Rachel Fernandez identified the director of KPS as Rachel Fernandez.
- d. July 6, 2022, wherein Pierce identified Raymona Souza as the director of KPS, and
- e. August 1, 2022, wherein Kanamori identified herself as the director of KPS.

9. On April 4, 2022, I assigned Defendants’ applications to operate KPS to CCLW Erin Okuda (Okuda).

10. On or about May 16, 2022, during a telephone conversation, Pierce told me that she was the owner of KPS.

11. On May 16, 2022, Pierce sent me an email that had her identified as the Executive Director of KPS (A true and correct copy of this May 17, 2022, email is attached hereto and incorporated herein as Exhibit 1).

12. On July 21, 2022, as part of the application process, CCLW Okuda, and I conducted a site visit to KPS, wherein Pierce walked us through the KPS property. During the walk through,

CCLW Okuda and I observed numerous areas with cracking, chipping, flaking and peeling paint on both the inside and exterior walls of the “Avocado House” and the “Sprout House” which Pierce said would be the location where the children’s classes would be held.

13. On July 28, 2022, and August 5, 2022, CCLW Okuda and CCLW Ian Tanioka (Tanioka) conducted site visits. CCLW Okuda and Tanioka observed numerous areas with cracking, chipping, flaking and peeling paint on both the inside and exterior walls the Avocado House and the Sprout House.

14. On July 28, 2022 and August 5, 2022, at the KPS site visit, CCLW Tanioka, took photos of the deteriorating paint located inside and outside of the Avocado House and the Sprout House. A true and correct copy of the photos are attached hereto and incorporated herein as Exhibit 2.

15. On July 26, 2022, because the KPS facility was built prior to 1978, I sent an email to Pierce requesting that Defendants complete a lead-based risk assessment conducted by an EPA-certified company and submit the test results to CCLW. A true and correct copy of the July 26, 2022, email is attached hereto and incorporated herein as Exhibit 3.

16. On August 1, 2022, DHS CHU issued Pierce a letter which identifies substantial areas of non-compliance with Defendants’ licensing requirements. A true and correct copy of the August 1, 2022, letter sent to Pierce, is attached hereto and incorporated herein as Exhibit 4.

17. Between August 1, 2022, through August 17, 2022, CCLW Okuda and I worked with Pierce to provide Pierce with the necessary information regarding how the areas of non-compliance could be rectified so that KPS could obtain a license to operate a group child care center.

18. On August 18, 2022, the two (2) remaining deficiencies that Defendants had not resolved were to provide: (1) the lead-based paint risk assessment results and necessary lead

abatement testing results, and (2) evidence that KPS has the appropriate number of qualified preschool teacher staff to be licensed.

19. On August 23, 2022, DHS CHU received an anonymous complaint that Defendants had opened the child care facility and a picture of a child's first day at KPS was provided via social media, Facebook. A true and correct copy of the August 23, 2022, Facebook post is attached hereto and incorporated herein as Exhibit 5.

20. On August 23, 2022, I accompanied CCLW Okuda and CCLW Cheryl Uyeda to KPS to investigate the alleged opening of KPS on August 22, 2022.

21. On August 23, 2022, I observed a total of 25 children at KPS with five staff members. I specifically observed, 11 children and two staff in the Avocado House and 14 children and three staff members in Sprout House. One child wandered out onto the lanai of Avocado House with no staff member and sat down and asked me to help her put on her shoes. This child appeared to be under the age of two years old and was wearing diapers. The child was not within sight or sound of a staff member. Thereafter, Pierce came from the Sprout House to the Avocado House to speak with us.

22. On August 23, 2022, at the site visit, CCLW Okuda and I told Pierce that she was operating illegally and that they did not have a license to open. We advised Pierce that she had not provided a Lead Based Paint Risk Assessment, nor did she have qualified staff to operate a child care facility. Pierce was also told that she needed to immediately close operations and contact the parents to pick up the children. Pierce stated that we should get comfortable because it was going to be a long wait.

23. On August 23, 2022, Defendants verbally confirmed that KPS opened on August 22, 2022, and provided child care services. The sign-in sheets indicated that eight children were signed in at the Avocado House and 14 children were signed in at the Sprout House.

24. On August 23, 2022, I received a copy of the *Lead-Wipe Clearance Report* dated August 19, 2022, from Pierce via email. A true and correct copy of the August 23, 2022, email from Pierce and the *Lead-Wipe Clearance Report* dated August 19, 2022, is attached hereto and incorporated herein as Exhibit 6.

25. On August 24, 2022, I asked Pierce for a copy of the *Lead-Risk Assessment Report* since that report was referred to in the *Lead-Wipe Clearance Report*.

26. On August 24, 2022, I received a copy of the *Lead-Risk Assessment Report* dated August 17, 2022, which was prepared by Lehua Environmental Inc. A true and correct copy of the August 17, 2022, *Lead-Risk Assessment Report* is attached hereto and incorporated herein as Exhibit 7.

27. The *Lead-Risk Assessment Report* showed significant hazardous levels of lead identified in the indoor areas of the Avocado and Sprout Houses as well as “grossly contaminated lead-contaminated soils” on the exterior of the KPS property and the Avocado and Sprout Houses. See Exhibit 7.

28. On August 25, 2022, the Department of Health (DOH) Indoor & Radiological Health Branch, Thomas Lileikis, reviewed the August 19, 2022, *Lead-Wipe Clearance Report* and determined that, according to the report, all the dust hazards in the indoor areas were abated, however, information from the areas with deteriorated lead-based paint were not addressed and information about the exterior bare soil with lead hazards were also not addressed. A true and correct copy of the August 25, 2022 email is attached hereto and incorporated herein as Exhibit 8.

29. On or about August 26, 2022, Pierce verbally informed me that KPS will do work to remove some of the soil from the areas that were identified to contain lead hazards. Pierce

informed me that samples from the soil will be taken and would be re-tested and that she would provide me with a copy of the results.

30. DHS CHU CCLW conducted unannounced visits to KPS on August 25, 26, 29, 30, and 31, 2022 and on September 1, 2, 6, 7 and 8, 2022. The gates to KPS were padlocked and CCLW could not enter the KPS facility. CCLW were greeted by Pierce and KPS staff member Janet Bibilone on the specified dates from the other side of the locked gates, who verbally reported to CCLW the numbers of children and staff that were present at KPS on each date. Illegal child care was substantiated on each of the specified date.

31. On September 15, 2022, Pierce provided me with a copy of a *Lead Soil Screen Summary* dated September 15, 2022. A true and correct copy of the September 15, 2022 *Lead Soil Screen Summary* is attached hereto and incorporated herein as Exhibit 9.

32. The *Lead Soil Screen Summary* provides that identified lead concentrations in the soil exceed the Hawaii Department of Health Environmental Action Level.

33. The *Lead Soil Screen Summary* report makes recommendations which includes notifying the DOH Hazard Evaluation and Emergency Response Office of the findings and obtain guidance on remedial activities.

34. On September 19, 2022, the CCLW contacted the DOH and learned that Pierce had not contacted them. DOH confirmed that no contact was made by Pierce. A true and correct copy of the email is attached hereto and incorporated herein as Exhibit 10.

35. On September 27, 2022, DOH confirmed again that Pierce had not made contact. A true and correct copy of the September 27, 2022 DOH email is attached hereto and incorporated herein as Exhibit 11.

36. On October 5, 2022, I sent an email to Ms. Pierce at 8:35 a.m. to ask if she contacted DOH regarding soil remediation. To date, I have not received a response to this email from Pierce. A true and correct copy of the October 5, 2022, email is attached hereto and incorporated herein as Exhibit 12.

Executed at Hilo, Hawai'i, October 7, 2022

Oct 7, 2022



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JANA PIIMAUNA

**From:** [Piimauna, Jana S](#)  
**To:** [Luka, Dayna](#)  
**Subject:** RE: 7/21 visit to KPS  
**Date:** Friday, October 7, 2022 1:47:18 PM

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**From:** Kimberly Pierce [kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)  
**Sent:** Tuesday, May 17, 2022 11:56 AM  
**To:** Piimauna, Jana S [jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)  
**Subject:** Thank you again for phone call yesterday Jana

As you can imagine, we have moved into immediate action.

A know there will be more questions but can you help me with these 3:

- on DHS 954 Form the staff and volunteer listing, I wanted to check regarding volunteers. Does this include anyone who will be with children over the 10 hour a week mark? Less than 10? Both? I believe volunteers at 10 hours a week are to be registered into the PATCH system. Less than 10 hours a week they do not need to be in PATCH. But everyone is to be listed on the 954 Form, is this correct?

- DHS 957 is just to contain the names of our PATCH credentialed folks, and does not include volunteers helping less than 10 hours a week (for example someone helping 4 hours with garden, or 3x a week for 1 hour of reading, both on our Kapuna team)

- Our staff is having CPR and First Aid training as a group. We scheduled it a while ago, when almost everyone could attend. It is on the DHS list of approved trainings, and scheduled for June 17th. Knowing that will be completed (and approx 4 of our staff are still current from prior jobs) are we okay to submit proof of payment and date of scheduled training in our packet.

Thanks again Jana  
Happy to be really checking off the boxes!

Kim Pierce  
Founder of the [Root2Rise Counseling Center](#)  
**Executive Director** [Kalamapi'i PLAY School](#)  
Licensed Marriage and Family Therapist  
Hilo Hawaii  
808.557.9537

---

**From:** Luka, Dayna <DLuka@dhs.hawaii.gov>  
**Sent:** Friday, October 7, 2022 1:45 PM  
**To:** Piimauna, Jana S <jpiimauna@dhs.hawaii.gov>  
**Subject:** RE: 7/21 visit to KPS



**EXHIBIT 2**

































**From:** Piimauna, Jana S  
**Sent:** Tuesday, July 26, 2022 8:46 AM  
**To:** Kimberly Pierce <kimbatespierce@gmail.com>  
**Subject:** RE: Courtesy

Hi Kim,

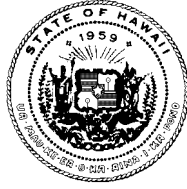
Unfortunately, we did find areas that indicate the need for a Lead based Paint inspection that requires an assessment by an EPA Certified Inspector. Erin checked with DPW and they do not do that assessment in their inspections. I am hoping that you can use your connections to expedite it as I realize you are in the last week before you plan to open.

Thank you,



## **Jana Piimauna**

Central Hilo Unit Supervisor  
Benefit, Employment & Support Services Division  
First To Work & Child Care Licensing  
1990 Kinooe St. Suite 109  
Hilo, HI 96720  
Phone: (808) 981-7292  
Main Line : (808) 981-7290  
Fax: (808) 981-7299



STATE OF HAWAII  
**DEPARTMENT OF HUMAN SERVICES**  
Benefit, Employment & Support Services Division  
Central Hilo Unit  
1990 Kinoole Street, Suite 109  
Hilo, Hawaii 96720

August 1, 2022

Kimberly Pierce  
Kalamapii Play School  
16 Manulele Street  
Hilo, Hawaii 96720

Dear Ms. Kimberly Pierce:

Thank you for submitting your license application to operate a Group Child Care Center (GCC). The following items are missing and required in order to complete your application:

- A signed department application form (attached DHS 951) – missing Director qualified employee
- A written statement of operation policies (attached DHS 952) – number of children
- Statement of legal authority form (attached DHS 953) DHS 953 is needed for new business (Kalamapii Play School) – *submitted & complete on 5/31/2022*
- A list of your child care staff, substitutes and volunteers including your maintenance personnel (attached DHS 954) – incomplete – please ensure that all areas are complete before submitting
- Verification that the child care facility meets the applicable county codes
- Completed employment history clearance forms (attached DHS 959 & DHS 959A) for applicants, employees, substitutes, and volunteers that will be counted in the staff-child ratio – missing for Mia Manzo, Tiffany Bader, and Elise Kerr
- Results of the criminal history clearance and child abuse/neglect history check for employees, substitutes, and volunteers that are counted in the staff-child ratio (DHS 948) – missing for Michelle Kuruhara

Once the above requirements have been submitted your application will be considered complete. Once your application is considered complete, ~~we will contact you to set up an inspection~~ (an inspection was already completed on 7/28/2022). A notice of disposition of your application to approve or deny you a license will be issued no later than ninety (90) days from the date of the completed application as defined in section (17-892.1-2(a)/17-895-2(a)/17-896-2(a) is received. If you have any questions regarding the application or the requested information, please contact Ms. Erin Okuda at (808) 981-4536.

Please also submit the following by August 4, 2022 so that we may do our best to meet your potential start date of August 8, 2022:

DHS 951B Notice of Missing Application Items

**EXHIBIT 4**



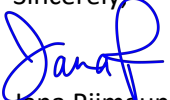
7. Lead paint assessment for the entire premises (indoor, outdoor, and outside) by an EPA certified lead assessor
8. Cover all electrical outlets (cover hole in light fixture, cover knockout holes in electrical box), wires, and pipes (must be county code compliant – exposed electrical outlets, exposed wire and hot water pipes – hot to touch when hot water is running)
9. Fix/replace all broken windows and replace all cracked windows (avocado house had 2 broken & cracked windows in classroom A, cracked glass in classroom B and D – sprout house had a broken and cracked window in classroom A)
10. Remedy termite (termite treat) and lizard/insect droppings
11. Remove cord blinds – choking hazard
12. Staff – child ratio: 1 Director and 6 Teachers per your request for one 2 year old group with 8 children, two groups of 3 yr old with 10 children each, and three groups of 4 and 5 year olds with 13 children, 13 children, and 14 children
13. No access to stairs for children (top and bottom – remedy must be DPW compliant)
14. Address and remedy poor ventilation and heat issues in buildings
15. Remove all sharp objects sticking out of walls (screws, nails, etc. in lower portion of bathroom wall in avocado house and classroom D above egress)
16. Remove splinter issues with unfinished wood in all rooms (shelves, window guards, etc.)
17. Diaper changing table needs a safety strap
18. Child locks on all refrigerators
19. No lighting in back bathroom of sprout house – add a light
20. All shelves need to be secured to walls
21. No outside access to sides and back of buildings
22. No access to under stairs
23. Asphalt does not extend to wall – hazard for falling, tripping, or getting stuck
24. Fix side of house with rotten/eaten wood on side of sprout house – safety/health hazard
25. Fix uneven outside areas or block off (in the back of the avocado house and in front of the sprout house where trees were removed – the tree removal issue was discussed during inspection)
26. Remove all rocking chairs
27. Post exit plan at all egresses
28. Food Establishment permit
29. Complete children's files
30. No pooling water on ground and playground equipment
31. Remove sink and rusty toolboxes in outside area
32. Remove construction materials – roof, concrete posts, wood, etc.
33. Set up outside equipment
34. Missing latch to secure double door
35. Adjust door latches so latches are out of children's reach (back door of sprout house)
36. Fix loose trim on bottom shelf in main room of sprout house
37. Need doorknobs/handles on bathroom doors
38. Secure drapery divider
39. Fix damaged carpet in main area of sprout house
40. Missing trim at front door of sprout house
41. Missing ac drain tube at sprout house
42. Hole and rust on security screen door at sprout house
43. Hole in wall in room in sprout house
44. Submit safety plan for gardening and composting

Ms. Kimberly Pierce

August 1, 2022

Page 3

45. Submit safety plan for having animals and insects on premises
46. Drainage – water spout does not extend to ground
47. Parking curbs in outdoor areas – metal sticking out of curbs
48. Secure water spout in the back of sprout house
49. Hole outside on asphalt (housing water pressure regulator) near sprout house approx. 9 inches deep
50. Daily noise issue - car alarm in back parking lot consistently heard throughout inspection

Sincerely,  
  
Jana Piimauna  
Supervisor

6:42

47%

facebook



[Redacted] 3 hours ago · [Redacted]

[Redacted] first day at Kalamapi'i Play School. Don't let the scowl fool you, he was so excited to be there that he didn't even have the time to tell me bye before he ran off to play.



Licensed Marriage and Family Therapist  
Hilo Hawaii  
808.557.9537

On Wed, Aug 24, 2022 at 12:46 PM Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)> wrote:

Hey Jana and Dana

Sounds good

Are you requesting a report from Unitek?

That is the Oahu outfit that is EPA Certified that did the clean up efforts

Lehua Environmental was required to be on site as oversight, and they are the ones who get the lab reports.

I currently just have an invoice of payment from the work performed by Unitek that was completed here on site Thursday Aug 18th, but happy to ask them for something additional if that is what you need. Let me know what you are seeking (proof of work agreement? payment? report of scope of work?) and I can work on getting it to you asap.

Kim Pierce  
Executive Director [Kalamapi'i PLAY School](#)  
Founder of the [Root2Rise Counseling Center](#)  
Licensed Marriage and Family Therapist  
Hilo Hawaii  
808.557.9537

On Wed, Aug 24, 2022 at 12:41 PM Piimauna, Jana S <[jpimauna@dhs.hawaii.gov](mailto:jpimauna@dhs.hawaii.gov)> wrote:

Hi Kim,

Thank you for the report. While looking through the information it refers to a 31 page Lead Risk Assessment Report. We are requesting a copy of that documentation as well in order to assess the entirety of the property. Without it, we cannot make a determination to move forward.

Unitek Insulation (Abatement Contractor) was contracted to conduct the abatement of the previously identified lead dust within the Subject Site. LEF's August 17, 2022 lead risk assessment report, *Lead Risk Assessment Report, Kalamapii Play School, 55 Ululani Street, Hilo, Hawaii 96720*, 31 pages (Previous Report), identified lead hazards located throughout the Subject Site. The Abatement Contractor remediated only dust hazards associated with the Subject Site. Additional lead hazards may still exist as identified in the Previous Report.

Thank you,

## Jana Piimauna

Central Hilo Unit Supervisor

Benefit, Employment & Support Services Division  
First To Work & Child Care Licensing  
1990 Kinoo e St. Suite 109  
Hilo, HI 96720  
Phone: (808) 981-7292

Main Line : (808) 981-7290  
Fax: (808) 981-7299

**From:** Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)>  
**Sent:** Tuesday, August 23, 2022 5:20 PM  
**To:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Subject:** attached - Lead Clearance

Was just received

See attached

Kim Pierce

Executive Director [Kalamapi'i PLAY School](#)

Founder of the [Root2Rise Counseling Center](#)

Licensed Marriage and Family Therapist

Hilo Hawaii  
808.557.9537

**LEAD WIPE CLEARANCE REPORT**  
**KALAMAPII PLAY SCHOOL**  
**55 ULULANI STREET, HILO, HAWAII 96720**

Prepared for:  
**KALAMAPII PLAY SCHOOL**  
55 ULULANI STREET  
HILO, HAWAII 96720

Prepared by:  
**LEHUA ENVIRONMENTAL INC.**  
P.O. BOX 1018  
KAMUELA, HAWAII 96743

August 19, 2022

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### APPENDICES

APPENDIX I:	LEAD LABORATORY ANALYTICAL RESULTS AND CHAIN-OF-CUSTODY FORMS
APPENDIX II:	MAP 1. CLEARANCE WIPE SAMPLE LOCATION MAP

## **1.0 CERTIFICATIONS AND LIMITATIONS**

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Lehua Environmental Inc. (LEI) has completed this lead wipe clearance report for the lead dust abatement activities at the Kalamapii Play School located at 55 Ululani Street in Hilo, Hawaii. LEI's findings and recommendations contained herein are based on research, site observations, government regulations and laboratory data, which were gathered at the time and location of the study. Opinions stated in this report do not apply to changes that may have occurred after the services were performed.

Lehua Environmental Inc. has performed specified services for this project with the degree of care, skill and diligence ordinarily exercised by professional consultants performing the same or similar services. No other warranty, guarantee, or representation, expressed or implied, is included or intended; unless otherwise specifically agreed to in writing by both Lehua Environmental Inc. and Lehua Environmental Inc.'s Client.

This report is intended for the sole use of the Kalamapii Play School, exclusively for the Subject Site. The Kalamapii Play School may use and release this report, including making and retaining copies, provided such use is limited to the particular site and project for which this report is provided. However, the services performed may not be appropriate for satisfying the needs of other users. Release of this report to third-parties will be at the sole risk of LEI's Client and/or said user, and LEI shall not be liable for any claims or damages resulting from or connected with such release or any third party's use or reuse of this report.

Prepared By:



---

Kamalana Kobayashi  
State of Hawaii Certified Lead Risk Assessor  
Certification #: PB-0132 Expires: 5/16/25

Date:

August 19, 2022



## 2.0 EXECUTIVE SUMMARY

Lehua Environmental Inc. (LEI) has completed this lead wipe clearance testing after the dust abatement activities at the Kalamapii Play School located at 55 Ululani Street in Hilo, Hawaii (Subject Site). On August 18-19, 2022, LEI personnel performed site reconnaissance to conduct the lead wipe clearance testing after the completion of lead dust abatement activities, which included the wet wiping, HEPA vacuuming and wet wiping abatement technique for floor and window sills throughout the Subject Site.

The Subject Site includes two (2) single-story structures consisting of a kitchen, classrooms, restrooms and a covered wooden walkway.

Unitek Insulation (Abatement Contractor) was contracted to conduct the abatement of the previously identified lead dust within the Subject Site. LEI's August 17, 2022 lead risk assessment report, *Lead Risk Assessment Report, Kalamapii Play School, 55 Ululani Street, Hilo, Hawaii 96720*, 31 pages (Previous Report), identified lead hazards located throughout the Subject Site. The Abatement Contractor remediated only dust hazards associated with the Subject Site. Additional lead hazards may still exist as identified in the Previous Report.

Table 1 below summarizes the results of the lead wipe clearance sampling. The laboratory results are included in Appendix I. Map 1 located in Appendix II identifies the sample locations, room/area locations at the Subject Site.

**Table 1. Lead Wipe Clearance Results  
Kalamapii Play School  
55 Ululani Street, Hilo, Hawaii 96720**

<i>Bldg.</i>	<i>Location</i>	<i>Description</i>	<i>Observations</i>	<i>Substrate</i>	<i>Interior/ Exterior</i>	<i>Lead Conc. Results (<math>\mu\text{g}/\text{ft}^2</math>)</i>	<i>EPA Dust- Lead Hazard Standards (<math>\mu\text{g}/\text{ft}^2</math>)</i>	<i>Pass/ Fail?</i>	<i>Sample ID</i>
Sprout	Room 2	Window Sill	No visible dust	Wood	Interior	9.4	$\geq 100$ (Window Sill)	Pass	LW-1
Sprout	Room 3	Window Sill	No visible dust	Wood	Interior	11.0	$\geq 100$ (Window Sill)	Pass	LW-2
Sprout	Room 7	Window Sill	No visible dust	Wood	Interior	<5	$\geq 100$ (Window Sill)	Pass	LW-3
Sprout	Room 8	Window Sill	No visible dust	Wood	Interior	27.0	$\geq 100$ (Window Sill)	Pass	LW-4
Sprout	Lanai	Floor	No visible dust	Wood	Exterior	7.8	$\geq 10$ (Floor)	Pass	LW-5
Sprout	Room 6	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-6
Sprout	Room 2	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-7
Sprout	Room 3	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-8

**(Continued) Table 1. Lead Wipe Clearance Results  
Kalamapii Play School  
55 Ululani Street, Hilo, Hawaii 96720**

<i>Bldg.</i>	<i>Location</i>	<i>Description</i>	<i>Observations</i>	<i>Substrate</i>	<i>Interior/ Exterior</i>	<i>Lead Conc. Results (<math>\mu\text{g}/\text{ft}^2</math>)</i>	<i>EPA Dust- Lead Hazard Standards (<math>\mu\text{g}/\text{ft}^2</math>)</i>	<i>Pass/ Fail?</i>	<i>Sample ID</i>
Sprout	Room 4	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-9
Sprout	Bath 1	Floor	No visible dust	Vinyl	Interior	9.4	$\geq 10$ (Floor)	Pass	LW-10
<b>Sprout</b>	<b>Room 5</b>	<b>Floor</b>	<b>No visible dust</b>	<b>Carpet</b>	<b>Interior</b>	<b>41.0</b>	<b><math>\geq 10</math> (Floor)</b>	<b>Fail*</b>	<b>LW-11</b>
Sprout	Room 5	Floor	Retest after further cleaning, collected on 8/19/22	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-11
Sprout	Room 6	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-12
Sprout	Bath 2	Floor	No visible dust	Vinyl	Interior	5.5	$\geq 10$ (Floor)	Pass	LW-13
Sprout	Room 7	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-14
Sprout	Room 8	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-15
Avocado	Room 1	Window Sill	No visible dust	Wood	Interior	7.8	$\geq 100$ (Window Sill)	Pass	LW-16
Avocado	Bath 1	Window Sill	No visible dust	Wood	Interior	<17	$\geq 100$ (Window Sill)	Pass	LW-17
Avocado	Room 2	Window Sill	No visible dust	Wood	Interior	<5	$\geq 100$ (Window Sill)	Pass	LW-18
Avocado	Room 4	Window Sill	No visible dust	Wood	Interior	9.4	$\geq 100$ (Window Sill)	Pass	LW-19
Avocado	Lanai	Floor	No visible dust	Wood	Exterior	9.4	$\geq 10$ (Floor)	Pass	LW-20
Avocado	Room 1	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-21
Avocado	Bath 1	Floor	No visible dust	Vinyl	Interior	6.3	$\geq 10$ (Floor)	Pass	LW-22
Avocado	Room 2	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-23

*Bold text indicates failed result.*

*\* Room was re-cleaned on 8/18/22 via wet wiping, HEPA vacuuming, wet wiping techniques. Retest was conducted on 8/19/22. The clearance wipe sample collected on 8/19/22 passed the EPA dust-lead hazard criteria of  $\geq 10 \mu\text{g}/\text{ft}^2$  for floors.*

**(Continued) Table 1. Lead Wipe Clearance Results  
Kalamapii Play School  
55 Ululani Street, Hilo, Hawaii 96720**

<i>Bldg.</i>	<i>Location</i>	<i>Description</i>	<i>Observations</i>	<i>Substrate</i>	<i>Interior/ Exterior</i>	<i>Lead Conc. Results (<math>\mu\text{g}/\text{ft}^2</math>)</i>	<i>EPA Dust- Lead Hazard Standards (<math>\mu\text{g}/\text{ft}^2</math>)</i>	<i>Pass/ Fail?</i>	<i>Sample ID</i>
Avocado	Kitchen	Floor	No visible dust	Wood	Interior	<5	$\geq 10$ (Floor)	Pass	LW-24
Avocado	Room 3	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-25
Avocado	Room 4	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-26
Avocado	Room 5	Floor	No visible dust	Carpet	Interior	<5	$\geq 10$ (Floor)	Pass	LW-27

***Summary***

In summary, the Abatement Contractor successfully abated the dust hazards identified on LEI's August 17, 2022 lead risk assessment report, *Lead Risk Assessment Report, Kalamapii Play School, 55 Ululani Street, Hilo, Hawaii 96720*, 31 pages. LEI's August 18 and 19, 2022 lead wipe clearance testing confirmed successful completion of the dust hazard remediation.

### 3.0 METHODOLOGY

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LEI collected and analyzed twenty-seven (27) dust wipe samples after the completion of dust abatement activities completed by the Abatement Contractor. The purpose of the dust wipe clearance sampling was to confirm/deny the presence of lead dust at concentrations that exceed the EPA's dust-lead clearance levels after the completion of abatement activities. Lead dust clearance wipe results were compared to the following EPA dust-lead clearance levels:  $\geq 10$   $\mu\text{g}/\text{ft}^2$  for floors and  $\geq 100$   $\mu\text{g}/\text{ft}^2$  for window sills.

'Ghost Wipes<sup>TM</sup>' and pre-measured areas were used to wipe a proscribed floor and window sill surface area for each dust wipe sample. Pre-measured areas were taped off prior to wipe sample collection.

Each sample was placed into a sealable 50 ml tube, properly labeled and recorded following strict chain of custody procedures and submitted to Hawaii Analytical Laboratory, LLC in Honolulu, Hawaii for analysis via AAS in accordance with EPA Method 7420 for wipe samples.

HAL is accredited for chemical analysis through successful participation in the EPA's National Environmental Laboratory Accreditation Program (NELAP) and the American Industrial Hygiene Association (AIHA).

#### **4.0 REFERENCES**

---

- Code of Federal Regulations. Occupational Safety and Health Standards. Title 29, Part 1910.1025. Washington DC. US Government Printing Office, 2004.
- Code of Federal Regulations. Protection of Environment. Title 40, Part 745. Washington DC. US Government Printing Office, 2004.
- Code of Federal Regulations. Housing and Urban Development. Title 24, Part 35. Washington DC. US Government Printing Office, 2004.
- US Department of Housing and Urban Development. Guidance for the Assessment and Control of Lead-Based Paint Hazards in Housing, 2004.
- US Environmental Protection Agency. Risk Assessment Model Curriculum. 1995.

# Appendix **I**

## LEAD LABORATORY ANALYTICAL RESULTS AND CHAIN-OF-CUSTODY FORMS



# Hawaii Analytical Laboratory ANALYTICAL REPORT

Friday, August 19, 2022

Mr. Kama Kobayashi  
Lehua Environmental Inc.  
P.O. Box 1018  
Kamuela HI 96743

**Phone Number:** (808)494-0365  
**Facsimile:**  
**Email:** lehuaenvironmental@gmail.com

**Lab Job No:** 202208098  
**Date Submitted:** 8/19/2022  
**Your Project:** Kalamapi'i Play School, 8/18/22

## Total Lead (wipes)

NIOSH Method: 7082m LEAD by FAAS

Sample No.	Your Sample ID / Description	Results	Units	Date Analyzed
202266273	LW1	9.4	ug/ft2	8/19/2022
Comments				
202266274	LW2	11	ug/ft2	8/19/2022
Comments				
202266275	LW3	< 5	ug/ft2	8/19/2022
Comments				
202266276	LW4	27	ug/ft2	8/19/2022
Comments				
202266277	LW5	7.8	ug/ft2	8/19/2022
Comments				
202266278	LW6	< 5	ug/ft2	8/19/2022
Comments				
202266279	LW7	< 5	ug/ft2	8/19/2022
Comments				
202266280	LW8	< 5	ug/ft2	8/19/2022
Comments				

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Mr. Kama Kobayashi  
Lehua Environmental Inc.  
P.O. Box 1018  
Kamuela HI 96743

Phone Number: (808)494-0365  
Facsimile:  
Email: lehuaenvironmental@gmail.com

Lab Job No: 202208098  
Date Submitted: 8/19/2022  
Your Project: Kalamapi'i Play School, 8/18/22

### Total Lead (wipes)

NIOSH Method: 7082m LEAD by FAAS

Sample No.	Your Sample ID / Description	Results	Units	Date Analyzed
202266281	LW9	< 5	ug/ft2	8/19/2022
Comments				
202266282	LW10	9.4	ug/ft2	8/19/2022
Comments				
202266283	LW11	41	ug/ft2	8/19/2022
Comments				
202266284	LW12	< 5	ug/ft2	8/19/2022
Comments				
202266285	LW13	5.5	ug/ft2	8/19/2022
Comments				
202266286	LW14	< 5	ug/ft2	8/19/2022
Comments				
202266287	LW15	< 5	ug/ft2	8/19/2022
Comments				
202266288	LW16	7.8	ug/ft2	8/19/2022
Comments				
202266289	LW17	< 17	ug/ft2	8/19/2022
Comments				
202266290	LW18	< 5	ug/ft2	8/19/2022
Comments				
202266291	LW19	9.4	ug/ft2	8/19/2022
Comments				

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Mr. Kama Kobayashi  
Lehua Environmental Inc.  
P.O. Box 1018  
Kamuela HI 96743

Phone Number: (808)494-0365  
Facsimile:  
Email: lehuaenvironmental@gmail.com

Lab Job No: 202208098  
Date Submitted: 8/19/2022  
Your Project: Kalamapi'i Play School, 8/18/22

### Total Lead (wipes)

NIOSH Method: 7082m LEAD by FAAS

Sample No.	Your Sample ID / Description	Results	Units	Date Analyzed
202266292	LW20	9.4	ug/ft2	8/19/2022
Comments				
202266293	LW21	< 5	ug/ft2	8/19/2022
Comments				
202266294	LW22	6.3	ug/ft2	8/19/2022
Comments				
202266295	LW23	< 5	ug/ft2	8/19/2022
Comments				
202266296	LW24	< 5	ug/ft2	8/19/2022
Comments				
202266297	LW25	< 5	ug/ft2	8/19/2022
Comments				
202266298	LW26	< 5	ug/ft2	8/19/2022
Comments				
202266299	LW27	< 5	ug/ft2	8/19/2022
Comments				

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Mr. Kama Kobayashi  
Lehua Environmental Inc.  
P.O. Box 1018  
Kamuela HI 96743

**Phone Number:** (808)494-0365  
**Facsimile:**  
**Email:** lehuaenvironmental@gmail.com

**Lab Job No:** 202208098  
**Date Submitted:** 8/19/2022  
**Your Project:** Kalamapi'i Play School, 8/18/22

---

**All Quality Control data are acceptable unless otherwise noted.**

**MRL for lead air is 5ug.**

**MRL for lead wipe is 10ug.**

**MRL for lead paint or soil is 40 mg/kg for a 0.25g sample.**

#### General Comments

The sample[s] analysis subject of this analytical report were conducted in general accordance with the procedures associated with the "analytical method" referenced above. Modifications to this methodology may have been made based upon the analyst's professional judgment and / or sample matrix effects encountered. The analysis of sample relates only to the sample analyzed, and may or may not be representative of the original source of the material submitted for our analysis. All analysts participate in interlaboratory quality control testing to continuously document proficiency. This report is not to be duplicated except in full without the expressed written permission of Hawaii Analytical Laboratory. This report should not be construed as an endorsement for a product or a service by the AIHA LAP, LLC or any affiliated organizations. Sample and associated sampling / collection data is reported as provided by client. TWA values have been calculated based on information supplied by the client that the laboratory has not independently verified. Results have not been corrected for blank determinations unless noted in remarks. Unless otherwise indicated the sample condition at the time of receipt was acceptable.

#### Results and Symbols Definitions

> This testing result is greater than the numerical value listed.

< This testing result is less than the numerical value listed.

# = Analytical methods marked with an "#" are not within our AIHA LAP, LLC Scope of Accreditation.

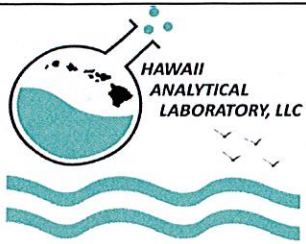
MRL = Method Reporting Limit.



---

**Jennifer Hsu Liao**  
**Laboratory Manager**

**Hawaii Analytical Laboratory (101812) is accredited by the AIHA LAP, LLC in the EMLAP, IHLAP, and ELLAP programs for the scope of work listed on [www.aihaaccreditedlabs.org](http://www.aihaaccreditedlabs.org), in accordance with the recognized ISO/ IEC 17025:2005. AIHA is a NLLAP recognized accrediting body. Controlled doc.: Lead Report, rev. 3 – 20181015**



3615 Harding Avenue, Suite 308  
 Honolulu, HI 96816  
 Ph: 808-735-0422 - Fax: 808-735-0047  
<https://analyzehawaii.com>

New Client?

Report To\* : Kama Kobayashi  
 Company : Lehua Environmental Inc.  
 Address\* : PO BOX 1018  
 Kamuela, Hawaii 96743  
 Phone / Cell No.\* : 808-494-0365  
 Report results to : K. Kobayashi  
 via email or fax : [Jkline.geo@gmail.com](mailto:Jkline.geo@gmail.com)  
[lehuaenvironmental@gmail.com](mailto:lehuaenvironmental@gmail.com)

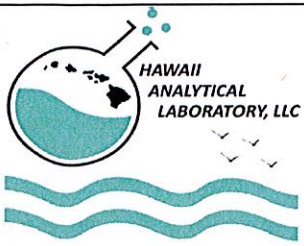
Invoice To\* : Kamalana Kobayashi  
 Company : Lehua Environmental Inc.  
 Address\* : PO BOX 1018  
 Kamuela, Hawaii 96743  
 Phone / Cell No.\* :  
 Purchase Order No. :  
 Email Invoice To : [lehuaenvironmental@gmail.com](mailto:lehuaenvironmental@gmail.com)

**Need Results By\*:**

- 5 Working Days (WD)
- 4 WD
- 3 WD
- 2 WD
- 24 hours
- 6 hours or less
- 4 hours or less
- 1-2 hours

Client Project No.: Site/Project Name: Kalamapi'I Play School   
 Special Instructions: Do Not Analyze Blank Until Further Notice  
 PLM POSITIVE STOP? Verbal results?  
 + stop / SAMPLE   
 + stop / LAYER  
 Sampled By & Certif. # : Nicole Garanza-Tengan  
**Lab Report No.:**  
 202208098

Sample ID	Sample Description*	Date Sampled* (mm/dd/yy)	Collection Medium	Sample Area / Air Volume	Analysis Requested*	Method Reference	Lab Sample(s) No.:
1	LW1	8/18/2022	Dust wipe	1sf	Lead		202266273
2	LW2	8/18/2022	Dust wipe	1sf	Lead		202266274
3	LW3	8/18/2022	Dust wipe	1sf	Lead		202266275
4	LW4	8/18/2022	Dust wipe	1sf	Lead		202266276
5	LW5	8/18/2022	Dust wipe	1sf	Lead		202266277
6	LW6	8/18/2022	Dust wipe	1sf	Lead		202266278
7	LW7	8/18/2022	Dust wipe	1sf	Lead		202266279
8	LW8	8/18/2022	Dust wipe	1sf	Lead		202266280
9	LW9	8/18/2022	Dust wipe	1sf	Lead		202266281
10	LW10	8/18/2022	Dust wipe	1sf	Lead		202266282
11	LW11	8/18/2022	Dust wipe	1sf	Lead		202266283
12	LW12	8/18/2022	Dust wipe	1sf	Lead		202266284
13	LW13	8/18/2022	Dust wipe	1sf	Lead		202266285
14	LW14	8/18/2022	Dust wipe	1sf	Lead		202266286
15	LW15	8/18/2022	Dust wipe	1sf	Lead		202266287



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 https://analyzehawaii.com

New Client?

Report To\* : Kama Kobayashi  
 Company : Lehua Environmental Inc.  
 Address\* : PO BOX 1018  
 Kamuela, Hawaii 96743  
 Phone / Cell No.\* : 808-494-0365  
 Report results to : K. Kobayashi  
 via email or fax : [Jkline.geo@gmail.com](mailto:Jkline.geo@gmail.com)  
[lehuaenvironmental@gmail.com](mailto:lehuaenvironmental@gmail.com)

Invoice To\* : Kamalana Kobayashi  
 Company : Lehua Environmental Inc.  
 Address\* : PO BOX 1018  
 Kamuela, Hawaii 96743  
 Phone / Cell No.\* :  
 Purchase Order No. :  
 Email Invoice To : [lehuaenvironmental@gmail.com](mailto:lehuaenvironmental@gmail.com)

**Need Results By\*:**

- 5 Working Days (WD)
- 4 WD
- 3 WD
- 2 WD
- 24 hours
- 6 hours or less
- 4 hours or less
- 1-2 hours

Client Project No.: Site/Project Name: Kalamapi'i Play School   
 Special Instructions: Do Not Analyze Blank Until Further Notice  
 PLM POSITIVE STOP?  + stop / SAMPLE  Verbal results?   
 + stop / LAYER  
 Lab Report No.: **202208098**

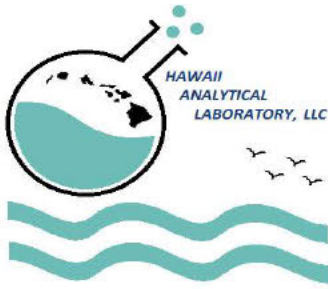
Sample ID	Sample Description*	Date Sampled* (mm/dd/yy)	Collection Medium	Sample Area / Air Volume	Analysis Requested*	Method Reference	Lab Sample(s) No.:
16	LW16	8/18/2022	Dust wipe	1sf	Lead		202208098
17	LW17	8/18/2022	Dust wipe	0.3sf	Lead		202208099
18	LW18	8/18/2022	Dust wipe	1sf	Lead		202208090
19	LW19	8/18/2022	Dust wipe	1sf	Lead		202208091
20	LW20	8/18/2022	Dust wipe	1sf	Lead		202208092
21	LW21	8/18/2022	Dust wipe	1sf	Lead		202208093
22	LW22	8/18/2022	Dust wipe	1sf	Lead		202208094
23	LW23	8/18/2022	Dust wipe	1sf	Lead		202208095
24	LW24	8/18/2022	Dust wipe	1sf	Lead		202208096
25	LW25	8/18/2022	Dust wipe	1sf	Lead		202208097
26	LW26	8/18/2022	Dust wipe	1sf	Lead		202208098
27	LW27	8/18/2022	Dust wipe	1sf	Lead		202208099

Relinquished By (Print and Sign) Nicole Garaganza-Tengan	Date/Time 8/18/22 1545	Received By (Print and Sign) Rozlyn Luber	Date/Time 08-19-22 A09:48 RCVD
---	---------------------------	--	-----------------------------------

\*Sample description can be paint chips, concrete, specific sample collection location, etc...  
 If matrix is 'soil', please specify if it is a FOREIGN SOIL SAMPLE (outside Hawaii) in the comment section.  
 All samples submitted are subject to Hawaii Analytical Laboratory terms and conditions.  
 \*Required fields, failure to complete these fields may result in a delay in your samples being processed.

via HAC  via USPS  via drop box  via FedEx  via pick up  
 awb#: 173-.....

*Rozlyn Luber*



# Hawaii Analytical Laboratory ANALYTICAL REPORT

Monday, August 22, 2022

Mr. Kama Kobayashi  
Lehua Environmental Inc.  
P.O. Box 1018  
Kamuela HI 96743

Phone Number: (808)494-0365  
Facsimile:  
Email: lehuaenvironmental@gmail.com

Lab Job No: 202208139  
Date Submitted: 8/22/2022  
Your Project: Kalamapi'i Play School, 8/19/22

## Total Lead (wipes)

NIOSH Method: 7082m LEAD by FAAS

Sample No.	Your Sample ID / Description	Results	Units	Date Analyzed
202266551	081922 LW1	< 5	ug/ft2	8/22/2022
Comments				

All Quality Control data are acceptable unless otherwise noted.

MRL for lead air is 5ug.

MRL for lead wipe is 10ug.

MRL for lead paint or soil is 40 mg/kg for a 0.25g sample.

### General Comments

The sample[s] analysis subject of this analytical report were conducted in general accordance with the procedures associated with the "analytical method" referenced above. Modifications to this methodology may have been made based upon the analyst's professional judgment and / or sample matrix effects encountered. The analysis of sample relates only to the sample analyzed, and may or may not be representative of the original source of the material submitted for our analysis. All analysts participate in interlaboratory quality control testing to continuously document proficiency. This report is not to be duplicated except in full without the expressed written permission of Hawaii Analytical Laboratory. This report should not be construed as an endorsement for a product or a service by the AIHA LAP, LLC or any affiliated organizations. Sample and associated sampling / collection data is reported as provided by client. TWA values have been calculated based on information supplied by the client that the laboratory has not independently verified. Results have not been corrected for blank determinations unless noted in remarks. Unless otherwise indicated the sample condition at the time of receipt was acceptable.

### Results and Symbols Definitions

> This testing result is greater than the numerical value listed.

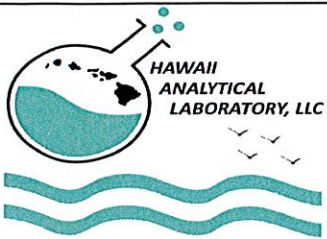
< This testing result is less than the numerical value listed.

# = Analytical methods marked with an "#" are not within our AIHA LAP, LLC Scope of Accreditation.

MRL = Method Reporting Limit.

**Jennifer Hsu Liao**  
Laboratory Manager

Hawaii Analytical Laboratory (101812) is accredited by the AIHA LAP, LLC in the EMLAP, IHLAP, and ELLAP programs for the scope of work listed on [www.aihaaccreditedlabs.org](http://www.aihaaccreditedlabs.org), in accordance with the recognized ISO/ IEC 17025:2005. AIHA is a NLLAP recognized accrediting body. Controlled doc.: Lead Report, rev. 3 – 20181015



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 Ph: 808-735-0422 - Fax: 808-735-0047  
 www.analyzehawaii.com


New Client?

Report To\* : Kama Kobayashi  
 Company : Lehua Environmental Inc.  
 Address\* : PO BOX 1018  
 : Kamuela, Hawaii 96743  
 Phone / Cell No.\* : 808-494-0365  
 Report results to : K. Kobayashi  
 via email or fax : [Jkline.geo@gmail.com](mailto:Jkline.geo@gmail.com),  
[lehuaenvironmental@gmail.com](mailto:lehuaenvironmental@gmail.com)

Invoice To\* : Kamalana Kobayashi  
 Company : Lehua Environmental Inc.  
 Address\* : PO BOX 1018  
 : Kamuela, Hawaii 96743  
 Phone / Cell No.\* :  
 Purchase Order No. :  
 Email Invoice To : [lehuaenvironmental@gmail.com](mailto:lehuaenvironmental@gmail.com)

**Need Results By\*:**

- 5 Working Days (WD)
- 4 WD
- 3 WD
- 2 WD
- 24 hours
- 6 hours or less
- 4 hours or less
- 1-2 hours

Site/Project Name: <b>Kalamapi'I Play School</b>		Client Project No.:		Sampled By: Nicole Garaganza-Tengan	
Comments / Special Instructions: <input checked="" type="checkbox"/> verbal results needed?			PLM POSITIVE STOP Instructions: <input type="checkbox"/> Positive stop per SAMPLE <input type="checkbox"/> Positive stop per LAYER		<b>LAB USE ONLY</b> <b>202208139</b>
Sample Identification / Description* (Maximum of 30 Characters)	Date Sampled* (mm/dd/yy)	Collection Medium	Sample Area / Air Volume	Analysis Requested*	Method Reference
081922 LW1	8/19/2022	Dust wipe	1sf	Lead	<b>202266551</b>
Relinquished By (Print and Sign)		Date/Time	Received By (Print and Sign)		Date/Time
Nicole Garaganza-Tengan		8/19/22 1330	<b>Anne Antin</b> 		08-22-22A10:34 RCVD 08-22-22A10:34 RCVD

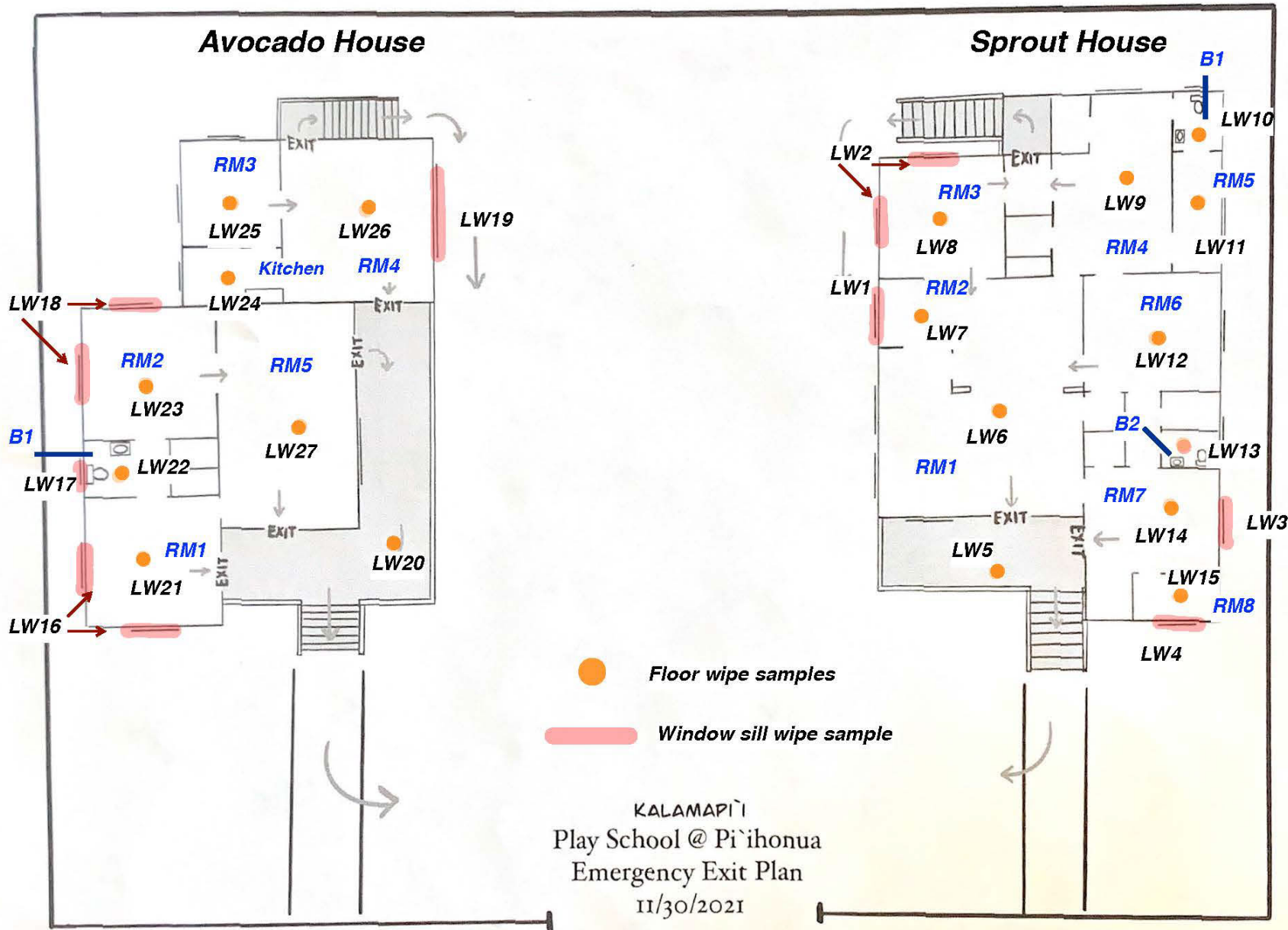
\*Sample description can be paint chips, concrete, specific sample collection location, etc...  
 If matrix is 'soil', please specify if it is a FOREIGN SOIL SAMPLE (outside Hawaii) in the comment section.  
 All samples submitted are subject to Hawaii Analytical Laboratory terms and conditions.  
 \*Required fields, failure to complete these fields may result in a delay in your samples being processed.

via HAC     via USPS     via drop box     via FedEx     via pick up  
 awb#: 173-35724393

Page: \_\_\_\_\_ of \_\_\_\_\_

## *Appendix* **II**

### **MAP 1. CLEARANCE WIPE SAMPLE LOCATION MAP**





**LEAD RISK ASSESSMENT REPORT**  
**KALAMAPII PLAY SCHOOL**  
**55 ULULANI STREET, HILO, HAWAII 96720**

Prepared for:  
**KALAMAPII PLAY SCHOOL**  
55 ULULANI STREET  
HILO, HAWAII 96720

Prepared by:  
**LEHUA ENVIRONMENTAL INC.**  
P.O. BOX 1018  
KAMUELA, HAWAII 96743

August 17, 2022

**EXHIBIT 7**

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### APPENDICES

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APPENDIX II:	MAP 1. LEAD HAZARD LOCATIONS – AVOCADO BUILDING MAP 2. LEAD HAZARD LOCATIONS – SPROUT BUILDING FIGURE 1. DECISION UNIT BOUNDARY MAP
APPENDIX III:	LEAD LABORATORY ANALYTICAL RESULTS AND CHAIN-OF-CUSTODY FORMS

## **1.0 CERTIFICATIONS AND LIMITATIONS**

---

Lehua Environmental Inc. (LEI) has completed this lead risk assessment of the Kalamapii Play School located at 55 Ululani Street in Hilo, Hawaii. LEI's findings and recommendations contained herein are based on research, site observations, government regulations and laboratory data, which were gathered at the time and location of the study. Opinions stated in this report do not apply to changes that may have occurred after the services were performed.

Lehua Environmental Inc. has performed specified services for this project with the degree of care, skill and diligence ordinarily exercised by professional consultants performing the same or similar services. No other warranty, guarantee, or representation, expressed or implied, is included or intended; unless otherwise specifically agreed to in writing by both Lehua Environmental Inc. and Lehua Environmental Inc.'s Client.

This report is intended for the sole use of the Kalamapii Play School, exclusively for the Subject Site. The Kalamapii Play School may use and release this report, including making and retaining copies, provided such use is limited to the particular site and project for which this report is provided. However, the services performed may not be appropriate for satisfying the needs of other users. Release of this report to third-parties will be at the sole risk of LEI's Client and/or said user, and LEI shall not be liable for any claims or damages resulting from or connected with such release or any third party's use or reuse of this report.

Prepared By:



---

Kamalana Kobayashi  
State of Hawaii Certified Lead Risk Assessor  
Certification #: PB-0132 Expires: 5/16/25

Date:

August 17, 2022

## 2.0 EXECUTIVE SUMMARY

Lehua Environmental Inc. (LEI) has completed this lead risk assessment (Assessment) of the Kalamapii Play School located at 55 Ululani Street in Hilo, Hawaii (Subject Site). On August 9, 2022, LEI personnel performed site reconnaissance to conduct the Assessment, which included the collection of lead dust wipe samples, surface soil samples and targeted lead paint sampling of deteriorated paints at the Subject Site.

The Subject Site includes two (2) single-story structures consisting of a kitchen, classrooms, restrooms and a covered wooden walkway.

LEI's Assessment identified various lead paint hazards present at the Subject Site. The identified lead paint hazards identified during LEI's Assessment are summarized below.

### *Summary of Identified Lead Paint Hazards*

The following are the lead paint hazards and identified during the Assessment. Map 1 located in Appendix II identified the approximate locations of each hazard.

**Identified Lead Hazardous  
Kalamapii Play School  
55 Ululani Street, Hilo, Hawaii 96720**

<i>Type of Hazard</i>	<i>Building</i>	<i>Interior/ Exterior</i>	<i>Room/ Location</i>	<i>Detailed Description</i>	<i>Comments</i>	<i>Recommendations</i>
Dust	Sprout	Interior	Room 2	Window Sill	Hazard is due to excessive dust present and friction surface, including windows and/or previous paint disturbance activities	Removal of friction surfaces within interior painted building components. These cause the release of lead dust. Also, thorough and daily cleaning is recommended.
Dust	Sprout	Interior	Room 3	Window Sill	Hazard is due to excessive dust present and friction surface, including windows and/or previous paint disturbance activities	
Dust	Sprout	Interior	Bath 2	Floor	Hazard is suspected to be due to friction surfaces, including windows and doors and/or previous paint disturbance activities	
Dust	Sprout	Interior	Room 7	Window Sill	Hazard is due to moderate dust present and friction surface, including windows and/or previous paint disturbance activities	
Dust	Sprout	Interior	Room 8	Window Sill	Hazard is due to moderate dust present and friction surface, including windows and/or previous paint disturbance activities	
Dust	Sprout	Exterior	Lanai	Floor	Hazard is suspected to be due to friction surfaces, including windows and doors and/or previous paint disturbance activities	

**Identified Lead Hazardous (Continued)**  
**Kalamapii Play School**  
**55 Ululani Street, Hilo, Hawaii 96720**

<i>Type of Hazard</i>	<i>Building</i>	<i>Interior/ Exterior</i>	<i>Room/ Location</i>	<i>Detailed Description</i>	<i>Comments</i>	<i>Recommendations</i>
Dust	Avocado	Interior	Room 1	Window Sill	Hazard is due to excessive dust present and friction surface, including windows and/or previous paint disturbance activities	Removal of friction surfaces within interior painted building components. These cause the release of lead dust. Also, throughout and daily cleaning is recommended.
Dust	Avocado	Interior	Bath 1	Window Sill	Hazard is due to excessive dust present and friction surface, including windows and/or previous paint disturbance activities	
Dust	Avocado	Interior	Bath 1	Floor	Hazard is suspected to be due to friction surfaces, including windows and doors and/or previous paint disturbance activities	
Dust	Avocado	Interior	Room 2	Window Sill	Hazard is due to minor dust present and friction surface, including windows and/or previous paint disturbance activities	
Dust	Avocado	Interior	Kitchen	Floor	Hazard is suspected to be due to friction surfaces, including windows and doors and/or previous paint disturbance activities	
Dust	Avocado	Exterior	Lanai	Floor	Hazard is suspected to be due to friction surfaces, including windows and doors and/or previous paint disturbance activities	
Dust	Avocado	Interior	Room 4	Window Sill	Hazard is due to minor dust present and friction surface, including windows and/or previous paint disturbance activities	

**Identified Lead Hazardous (Continued)**  
**Kalamapii Play School**  
**55 Ululani Street, Hilo, Hawaii 96720**

<i>Type of Hazard</i>	<i>Building</i>	<i>Interior/ Exterior</i>	<i>Room/ Location</i>	<i>Detailed Description</i>	<i>Comments</i>	<i>Recommendations</i>
Paint	Sprout	Interior	Rooms 2, 3, 5, 6, 7, 8 and Bath 1 & 2	Window Sash & Muntin	Hazard is due to poor paint condition of windows.	Properly remove poor condition (peeling and flaking) paint on interior surfaces. Only persons with proper lead training and PPE should be allowed to conduct maintenance activities at the building.
Paint	Sprout	Interior	Room7	Door	Hazard is due to poor paint condition of door	
Paint	Sprout	Interior	Room 2	Window Frame	Hazard is due to poor paint condition of windows.	
Paint	Avocado	Interior	Rooms 1, 4, 5	Window Sash & Muntin	Hazard is due to poor paint condition of windows.	
Soil	Avocado & Sprout	Exterior	Bare soil located 5' from the building perimeter toward the building footprint and extending 5' outward from the building perimeter	Exterior Bare Surface Soils (0"-6" below ground surface)	Soil lead concentrations exceed Department of Health guidelines for direct exposure and gross contamination	Removal of grossly contaminated lead-contaminated soils. Retest the existing soils after removal activities. If lead-contaminated soils will remain, develop a site specific DOH approved Environmental Hazard Management Plan.

*It is recommended that any activity that disturbs lead paint, lead contaminated soil, lead dust or any lead hazard corrective action be conducted by personnel with current Hawaii Department of Health Lead-Based Paint Abatement Worker/Supervisor certification.*

Table 1 located in Appendix I summarizes the results of the lead wipe sampling. Table 2 located in Appendix I summarizes the results of the soil sampling. Finally, Table 3 located in Appendix I summarizes the results of the lead paint sampling.

The building layouts are identified in Maps 1 & 2 located in Appendix II. Soil decision units are identified in Figure 1 in Appendix II.

Laboratory results are included in Appendix III.

### ***Summary and Recommendations***

In summary, various lead paint hazards were identified at the Subject Site. Based on LEI's lead risk assessment, LEI recommends the following:

- Immediately incorporate ongoing lead paint maintenance activities into regular maintenance of the Subject Site, unless all LBP and LCP has been successfully abated (either it was removed, or it was enclosed or encapsulated without failure of those treatments).
- Eliminate all identified lead paint hazards identified in this report within 90 days of receiving this report. Corrective measures may involve permanent or temporary elimination of lead paint hazards.

Permanent corrective lead hazard control within the identified lead paint hazard locations includes the removal of poor condition lead-containing paint and lead-based paint, abatement of lead-containing paint and lead-based paint, enclosure, encapsulation, or replacement of building components coated with lead-containing paint and lead-based paint; and removal of lead-contaminated soil and/or overlaying of soil with an impermeable or semi-impermeable covering such as asphalt. (Grass and sod are considered interim control measures.) All of these strategies require worksite preparation; protection of building occupants and building occupants belongings; cleanup; waste disposal; clearance testing; recordkeeping; and, in some cases, monitoring. Certified or licensed abatement contractors must be used for permanent lead hazard control work, unless the intent of the work is maintenance, renovation, or rehabilitation.

Temporary corrective measures, using lead-safe work practices, include specialized cleaning, repairs, maintenance, temporary containment, paint stabilization and management and building occupant education programs. Paint stabilization is the process of repair of any underlying conditions, wet scraping, priming, and repainting surfaces; paint stabilization includes cleanup and clearance.

- If interim controls are used, conduct re-assessments at 2-year intervals to be performed by a DOH certified lead risk assessor, for lead paint hazards or failures of previous hazard control measures. Interim controls include dust removal; paint stabilization; treatment of friction and impact surfaces; specialized cleaning; installation of soil coverings, such as grass or sod; or land-use controls.
- It is recommended that any activity that disturbs lead paint, lead contaminated soil, lead dust or any lead hazard corrective action be conducted by personnel with current Hawaii Department of Health Lead-Based Paint Abatement Worker/Supervisor certification.
- The following recommendations should be followed in areas with soils identified to exceed the Hawaii DOH EAL for lead in soil. 1) contaminated soil removed from the Subject Site must be disposed of in accordance with Federal and State rules and



regulations, 2) dust control practices should include both wetting during soil disturbance activities and monitoring by a designated competent person, in addition to containing temporary soil stockpiles, 3) use of good general hygiene practices for tenants, public, employees and workers to avoid soil exposure, 4) long-term controls should be implemented on the site to minimize the potential for exposure to lead-contaminated soil by tenants, public, employees and workers, 5) possible need to cover any bare soil, if subject to wind or water transport off-site.

- Prepare and submit for approval to the Hawaii DOH Hazard Evaluation and Emergency Response (HEER) office a Construction Environmental Hazard Management Plan (C-EHMP) which outlines the proper handling and management of soil and/or groundwater, sampling and analysis protocol for soil, the planned re-use/disposal locations for excavated soil, health and safety measures to be taken to protect workers, environment and the general public. The C-EHMP should be approved by the Hawaii DOH HEER office prior to the start of lead-contaminated soil disturbance at the Subject Site.

### **3.0 INTRODUCTION/PURPOSE**

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A lead risk assessment was conducted on August 9, 2022 at the Subject Site. The lead risk assessment included the collection of lead dust wipe samples, surface soil samples, and lead paint samples from deteriorated condition paints at the Subject Site.

The lead risk assessment identified conditions considered lead paint hazards that could result in lead exposure to building occupants, maintenance staff and the general public. This lead risk assessment report can be used to develop a plan for eliminating any lead paint hazards that were identified, and may aid in establishing an ongoing lead paint maintenance and re-assessment program, if needed.

## 4.0 METHODOLOGY

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This lead risk assessment is an onsite interior and exterior investigation to discover any lead hazards. Lead paint hazards may exist in paint, dust and/or soil at the Subject Site. LEI personnel conducted this lead risk assessment for dust, soil and paint in deteriorated condition at the Subject Site.

### 4.1 *Lead Dust Sampling*

LEI collected and analyzed twenty-two (22) dust wipe samples to identify those locations where a lead dust hazards may exist at the Subject Site.

'Ghost Wipes <sup>TM</sup>' and pre-measured areas were used to wipe a proscribed floor and window surface area for each dust wipe sample. Pre-measured areas were taped off prior to wipe sample collection.

Each sample was placed into a sealable 50 ml tube, properly labeled and recorded following strict chain of custody procedures and submitted to Hawaii Analytical Laboratory, LLC in Honolulu, Hawaii for analysis via AAS in accordance with EPA Method 7420 for wipe samples.

HAL is accredited for chemical analysis through successful participation in the EPA's National Environmental Laboratory Accreditation Program (NELAP) and the American Industrial Hygiene Association (AIHA).

### 4.2 *Lead Soil Sampling*

The lead soil sampling at the Subject Site included a surface (0"-6" bgs) soils screen for lead. Laboratory analytical results of the soil samples were used to determine if the surface soils contain lead that exceed applicable DOH EAL at the Subject Site.

Multi-increment sampling (MIS) soil sampling was chosen for the Subject Site so that reproducible data, representative of average background concentrations, can be obtained for use as reference control data. A total of two (2) DUs were identified at the Subject Site. DU boundaries included the accessible bare soils of the building footprint and bare soils extending out 5' from the building perimeters. Each MIS soil sample consisted of 50 increments. Based on sampling theory (Pitard, 1993), a minimum of 30 increments per sample is generally recommended in order to obtain a reliable estimate of the mean concentration. The DOH typically specifies the use of 30 to 100 increments per sample in their Technical Guidance Manual (DOH, 2009b). Each increment was taken from 0-6 inches below ground surface for surface soils.

The location of each increment was based on a systematic random grid that was developed during the site visit. The grid was drawn with a random starting point for even distribution across the sampling area. The systematic random sampling design provided coverage of the DU along a horizontal plane, without the gaps associated with purely random designs.

Each increment was taken and then placed into a double-bagged Ziploc® bag. This process was repeated until 50 increments were collected. MIS soil samples were then placed into a cooler with ice packs for delivery to the laboratory for analysis.

Additional descriptions of the DU locations are listed below:

- DU-1: Avocado Building, bare soils extending 5' from the building perimeter inwards towards the building footprint and extending 5' outward from the building perimeter (primary sample), 0''-6'' bgs
- DU-1B: Avocado Building, bare soils extending 5' from the building perimeter inwards towards the building footprint and extending 5' outward from the building perimeter (duplicate sample), 0''-6'' bgs
- DU-1C: Avocado Building, bare soils extending 5' from the building perimeter inwards towards the building footprint and extending 5' outward from the building perimeter (triplicate sample), 0''-6'' bgs
- DU-2: Sprout Building, bare soils extending 5' from the building perimeter inwards towards the building footprint and extending 5' outward from the building perimeter (primary sample), 0''-6'' bgs

### ***4.3 Lead Paint Sampling***

LEI personnel collected and analyzed five (5) paint chip samples from deteriorated paints of the Subject Site in accordance with the EPA guidelines and recommendations.

The suspect lead-containing paints were wetted with amended water before sample collection. Paint was carefully scraped and placed into a labeled re-sealable plastic bag. The sampling equipment was cleaned between each sample collection to avoid cross-contamination between samples. All samples were properly logged and recorded following strict chain of custody procedure and submitted to Hawaii Analytical Laboratories, LLC for analysis in accordance with EPA method 7420.

## **5.0 CONTROL OPTIONS**

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Interim controls are defined as those measures which temporarily reduce or mitigate exposure to lead hazards. Interim controls include, but are not limited to: paint stabilization (covering with new paint); regular cleaning; regular maintenance; renovation; remodeling; temporary containment (i.e., covering lead paint with a new wall or floor surface); and covering lead containing soil with new sod or mulch.

Abatement is defined as the permanent (greater than 20 years) elimination of lead hazards. If abatement does not involve the complete removal of a lead hazard, the abatement method must be guaranteed by the manufacturer and/or contractor to last a minimum of twenty (20) years, or be designed with at least a twenty (20) year life span. Abatement methods include, but are not limited to: the complete removal of lead paint from substrates and components; the removal of lead paint covered materials; the permanent enclosure of lead hazards with construction materials; and the removal or permanent covering (with concrete or asphalt) of lead containing soil hazards.

## 6.0 REFERENCES

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- Code of Federal Regulations. Occupational Safety and Health Standards. Title 29, Part 1910.1025. Washington DC. US Government Printing Office, 2004.
- Code of Federal Regulations. Protection of Environment. Title 40, Part 745. Washington DC. US Government Printing Office, 2004.
- Code of Federal Regulations. Housing and Urban Development. Title 24, Part 35. Washington DC. US Government Printing Office, 2004.
- US Department of Housing and Urban Development. Guidance for the Assessment and Control of Lead-Based Paint Hazards in Housing, 2004.
- US Environmental Protection Agency. Risk Assessment Model Curriculum. 1995.
- Building and Construction Cost Data. RS Means Construction Publishers and Consultants. Reed Construction Data, 2003.
- Department of Health, Hazard Evaluation and Emergency Response (HEER) website, <http://www.hawaiidoh.org/tgm.aspx>.
- Pitard, Francis F., 1993. Pierre Gy's Sampling Theory and Sampling Practice: Heterogeneity, Sampling Correctness, and Statistical Process Control. 2<sup>nd</sup> Ed. Boca Raton, FL: CRC Press.

# *Appendix* **I**

## **TABLES OF RESULTS**

Table 1. Lead Dust Wipe Survey Summary  
 Kalamapii Play School  
 55 Ululani Street, Hilo, Hawaii 96720

<i>Building</i>	<i>Location</i>	<i>Description</i>	<i>Observations</i>	<i>Substrate</i>	<i>Interior/ Exterior</i>	<i>Lead Conc. Results (<math>\mu\text{g}/\text{ft}^2</math>)</i>	<i>EPA Dust-Lead Hazard Standards (<math>\mu\text{g}/\text{ft}^2</math>)</i>	<i>Pass/ Fail?</i>	<i>Sample ID</i>
Sprout	Room 1	Window Sill	Very dusty, new metal window	Wood	Interior	44	$\geq 100$ (Window Sill)	Pass	LW-1
<b>Sprout</b>	<b>Room 2</b>	<b>Window Sill</b>	<b>Very dusty, old wood window</b>	<b>Wood</b>	<b>Interior</b>	<b>220</b>	<b><math>\geq 100</math> (Window Sill)</b>	<b>Fail</b>	<b>LW-2</b>
<b>Sprout</b>	<b>Room 3</b>	<b>Window Sill</b>	<b>Very dusty, old wood window</b>	<b>Wood</b>	<b>Interior</b>	<b>760</b>	<b><math>\geq 100</math> (Window Sill)</b>	<b>Fail</b>	<b>LW-3</b>
Sprout	Room 4	Window Sill	Minor dust, new vinyl window	Wood	Interior	70	$\geq 100$ (Window Sill)	Pass	LW-4
Sprout	Bath 1	Window Sill	Minor dust, new glass jalousie window	Wood	Interior	14	$\geq 100$ (Window Sill)	Pass	LW-5
Sprout	Room 5	Window Sill	Minor dust, old wood window	Wood	Interior	34	$\geq 100$ (Window Sill)	Pass	LW-6
Sprout	Room 6	Window Sill	Minor dust, old wood window	Wood	Interior	61	$\geq 100$ (Window Sill)	Pass	LW-7
Sprout	Bath 2	Window Sill	Minor dust, old wood window	Wood	Interior	35	$\geq 100$ (Window Sill)	Pass	LW-8
<b>Sprout</b>	<b>Bath 2</b>	<b>Floor</b>	<b>Minor dust, wood pattern laminate floor</b>	<b>Vinyl</b>	<b>Interior</b>	<b>16</b>	<b><math>\geq 10</math> (Floor)</b>	<b>Fail</b>	<b>LW-9</b>
<b>Sprout</b>	<b>Room 7</b>	<b>Window Sill</b>	<b>Minor dust, old wood window</b>	<b>Wood</b>	<b>Interior</b>	<b>270</b>	<b><math>\geq 100</math> (Window Sill)</b>	<b>Fail</b>	<b>LW-10</b>
<b>Sprout</b>	<b>Room 8</b>	<b>Window Sill</b>	<b>Minor dust, old wood window</b>	<b>Wood</b>	<b>Interior</b>	<b>12,000</b>	<b><math>\geq 100</math> (Window Sill)</b>	<b>Fail</b>	<b>LW-11</b>
<b>Sprout</b>	<b>Lanai</b>	<b>Floor</b>	<b>Minor dust</b>	<b>Wood</b>	<b>Exterior</b>	<b>490</b>	<b><math>\geq 10</math> (Floor)</b>	<b>Fail</b>	<b>LW-12</b>
Avocado	Room 5	Window Sill	Minor dust, old wood window	Wood	Interior	51	$\geq 100$ (Window Sill)	Pass	LW-13
<b>Avocado</b>	<b>Room 1</b>	<b>Window Sill</b>	<b>Minor dust, old wood window</b>	<b>Wood</b>	<b>Interior</b>	<b>200</b>	<b><math>\geq 100</math> (Window Sill)</b>	<b>Fail</b>	<b>LW-14</b>
<b>Avocado</b>	<b>Bath 1</b>	<b>Window Sill</b>	<b>Minor dust, new vinyl window</b>	<b>Wood</b>	<b>Interior</b>	<b>1,600</b>	<b><math>\geq 100</math> (Window Sill)</b>	<b>Fail</b>	<b>LW-15</b>
<b>Avocado</b>	<b>Bath 1</b>	<b>Floor</b>	<b>Minor dust, wood pattern laminate floor</b>	<b>Vinyl</b>	<b>Interior</b>	<b>42</b>	<b><math>\geq 10</math> (Floor)</b>	<b>Fail</b>	<b>LW-16</b>

*Bold text indicates failed result.*



Table 1. Lead Dust Wipe Survey Summary  
 Kalamapii Play School  
 55 Ululani Street, Hilo, Hawaii 96720

<i>Building</i>	<i>Location</i>	<i>Description</i>	<i>Observations</i>	<i>Substrate</i>	<i>Interior/ Exterior</i>	<i>Lead Conc. Results (<math>\mu\text{g}/\text{ft}^2</math>)</i>	<i>EPA Dust-Lead Hazard Standards (<math>\mu\text{g}/\text{ft}^2</math>)</i>	<i>Pass/ Fail?</i>	<i>Sample ID</i>
<b>Avocado</b>	<b>Room 2</b>	<b>Window Sill</b>	<b>Minor dust, new vinyl window</b>	<b>Wood</b>	<b>Interior</b>	<b>200</b>	<b><math>\geq 100</math> (Window Sill)</b>	<b>Fail</b>	<b>LW-17</b>
Avocado	Kitchen	Window Sill	Minor dust, new vinyl window	Wood	Interior	28	$\geq 100$ (Window Sill)	Pass	LW-18
<b>Avocado</b>	<b>Kitchen</b>	<b>Floor</b>	<b>Minor dust, green wood flooring</b>	<b>Wood</b>	<b>Interior</b>	<b>95</b>	<b><math>\geq 10</math> (Floor)</b>	<b>Fail</b>	<b>LW-19</b>
Avocado	Room 3	Window Sill	Minor dust, new vinyl window	Wood	Interior	57	$\geq 100$ (Window Sill)	Pass	LW-20
<b>Avocado</b>	<b>Lanai</b>	<b>Floor</b>	<b>Minor dust</b>	<b>Wood</b>	<b>Interior</b>	<b>105</b>	<b><math>\geq 10</math> (Floor)</b>	<b>Fail</b>	<b>LW-21</b>
<b>Avocado</b>	<b>Room 4</b>	<b>Window Sill</b>	<b>Moderate dust, old wood window</b>	<b>Wood</b>	<b>Interior</b>	<b>480</b>	<b><math>\geq 100</math> (Window Sill)</b>	<b>Fail</b>	<b>LW-22</b>

*Bold text indicates failed result.*

Table 2. Soil Sampling Results Summary  
 Kalamapii Play School  
 55 Ululani Street, Hilo, Hawaii 96720

				Sample Location			Sample Location		
				Avocado Building - Bare soil extending 5' inward and outward from the building perimeter (0"-6" bgs)			AAvocado Building - Bare soil extending 5' inward and outward from the building perimeter (0"-6" bgs)		
				Descriptive Sample ID			Descriptive Sample ID		
Analyte	Laboratory Analytical Method	DOH EAL Unrestricted Land Use (mg/kg)	DOH EAL Commercial/Industrial Land Use (mg/kg)	Result (mg/kg)	Laboratory Reporting Limit (mg/kg)	Pass/Fail	Result (mg/kg)	Laboratory Reporting Limit (mg/kg)	Pass/Fail
Lead (Pb)	EPA 3051m/7000Bm	200	800	16,000	40	Fail	19,000	40	Fail

Notes:

DU = Decision Unit

NA = Not applicable

DOH = State of Hawai'i Department of Health EAL = Environmental Action Level

EPA = Environmental Protection Agency mg/kg = Milligrams per kilogram

ND = Not detected above the laboratory bgs = Below ground surface

				Sample Location			Sample Location		
				Avocado Building - Bare soil extending 5' inward and outward from the building perimeter (0"-6" bgs)			Sprout Building - Bare soil extending 5' inward and outward from the building perimeter (0"-6" bgs)		
				Descriptive Sample ID			Descriptive Sample ID		
Analyte	Laboratory Analytical Method	DOH EAL Unrestricted Land Use (mg/kg)	DOH EAL Commercial/Industrial Land Use (mg/kg)	Result (mg/kg)	Laboratory Reporting Limit (mg/kg)	Pass/Fail	Result (mg/kg)	Laboratory Reporting Limit (mg/kg)	Pass/Fail
Lead (Pb)	EPA 3051m/7000Bm	200	800	18,000	40	Fail	7,900	40	Fail

Notes:

DU = Decision Unit

NA = Not applicable

DOH = State of Hawai'i Department of Health EAL = Environmental Action Level

EPA = Environmental Protection Agency mg/kg = Milligrams per kilogram

ND = Not detected above the laboratory bgs = Below ground surface

Table 3. Lead Paint Survey Summary  
 Kalamapii Play School  
 55 Ululani Street, Hilo, Hawaii 96720

<i>Interior/ Exterior</i>	<i>Building</i>	<i>Area/Room</i>	<i>Description</i>	<i>Color</i>	<i>Substrate</i>	<i>Cond.</i>	<i>Lead Conc. (mg/kg)</i>	<i>LCP or LBP?</i>	<i>Sample ID</i>
Interior	Sprout	Rooms 2, 3, 5, 6, 7, 8 and Bath 1 & 2	Window sash & muntin	White	Wood	Poor	52,000	LBP	L-1
Interior	Sprout	Room 7	Door	White	Wood	Poor	93,000	LBP	L-2
Interior	Sprout	Room 2	Window Frame	White	Wood	Poor	5,000	LBP	L-3
Interior	Sprout	Room 7	Door Frames	Light Gray	Wood	Poor	590	LCP	L-4
Interior	Avocado	Rooms 1, 4, 5	Window sash & muntin	White	Wood	Poor	63,000	LBP	L-5

## *Appendix* **II**

**MAP 1. LEAD HAZARD LOCATIONS – AVOCADO BUILDING**

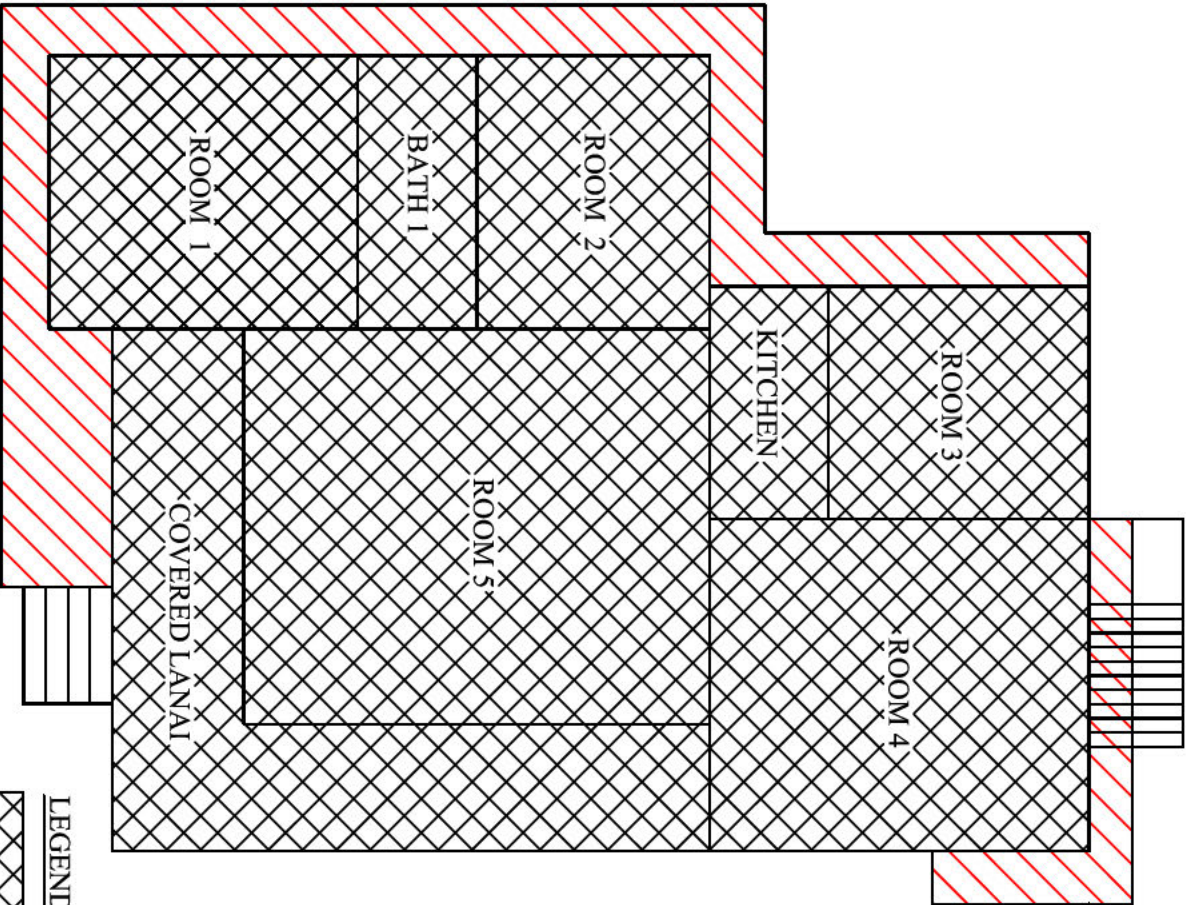
**MAP 2. LEAD HAZARD LOCATIONS – SPROUT BUILDING**

**FIGURE 1. DECISION UNIT BOUNDARIES**



MAP 1  
AUG.  
2022

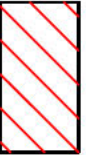
LEAD HAZARD LOCATIONS  
AVOCADO BUILDING  
KALAMAPII PLAY SCHOOL  
55 UULANI STREET  
HILO, HAWAII 96720



**LEGEND**



= LEAD HAZARD ASSOCIATED WITH POOR  
CONDITION PAINT AND/OR DUST



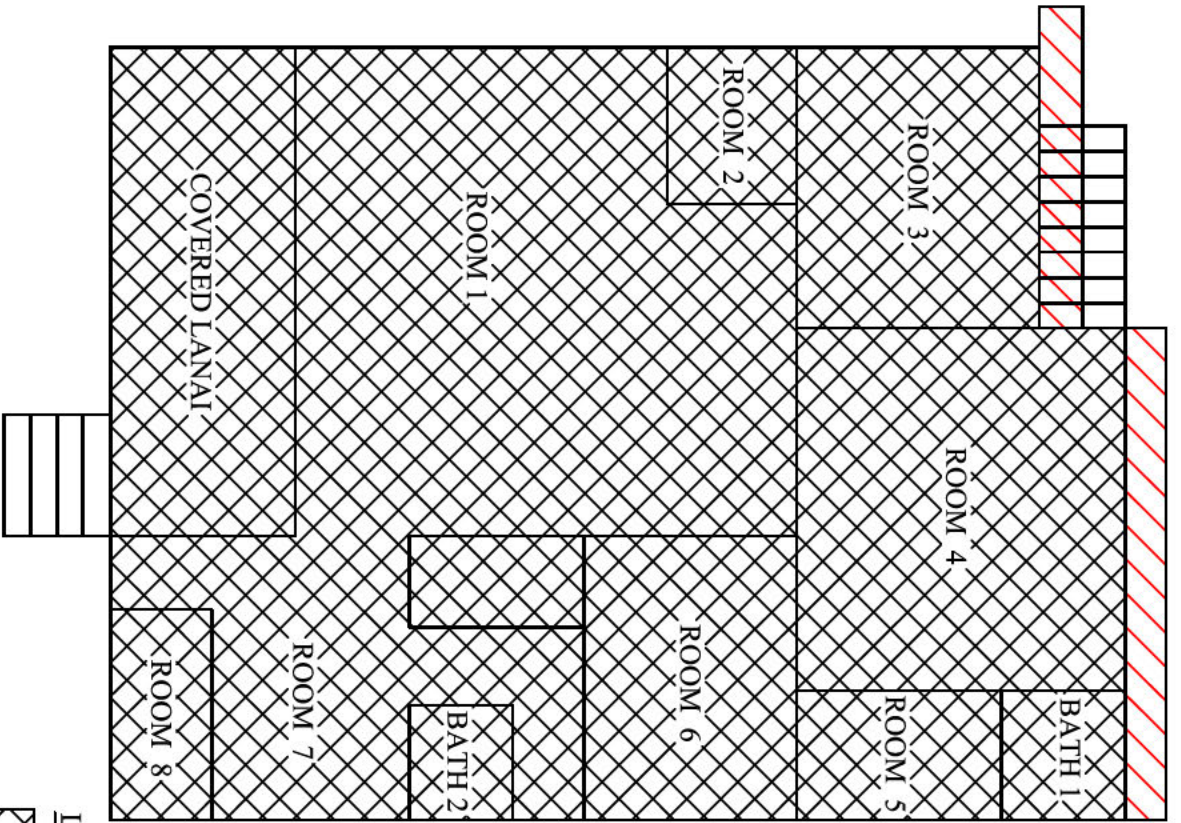
= LEAD HAZARD ASSOCIATED WITH  
LEAD-IMPACTED BARE SOILS.  
= LEAD-IMPACTED SOILS EXIST 5' FROM THE  
BUILDING PERIMETER BOTH UNDER THE  
BUILDING FOOTPRINT AND EXTENDING OUT  
FROM THE BUILDING PERIMETER.

NOT TO SCALE



MAP 2  
AUG.  
2022

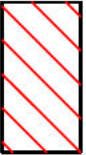
LEAD HAZARD LOCATIONS  
SPROUT BUILDING  
KALAMAPII PLAY SCHOOL  
55 ULULANI STREET  
HILO, HAWAII 96720



**LEGEND**



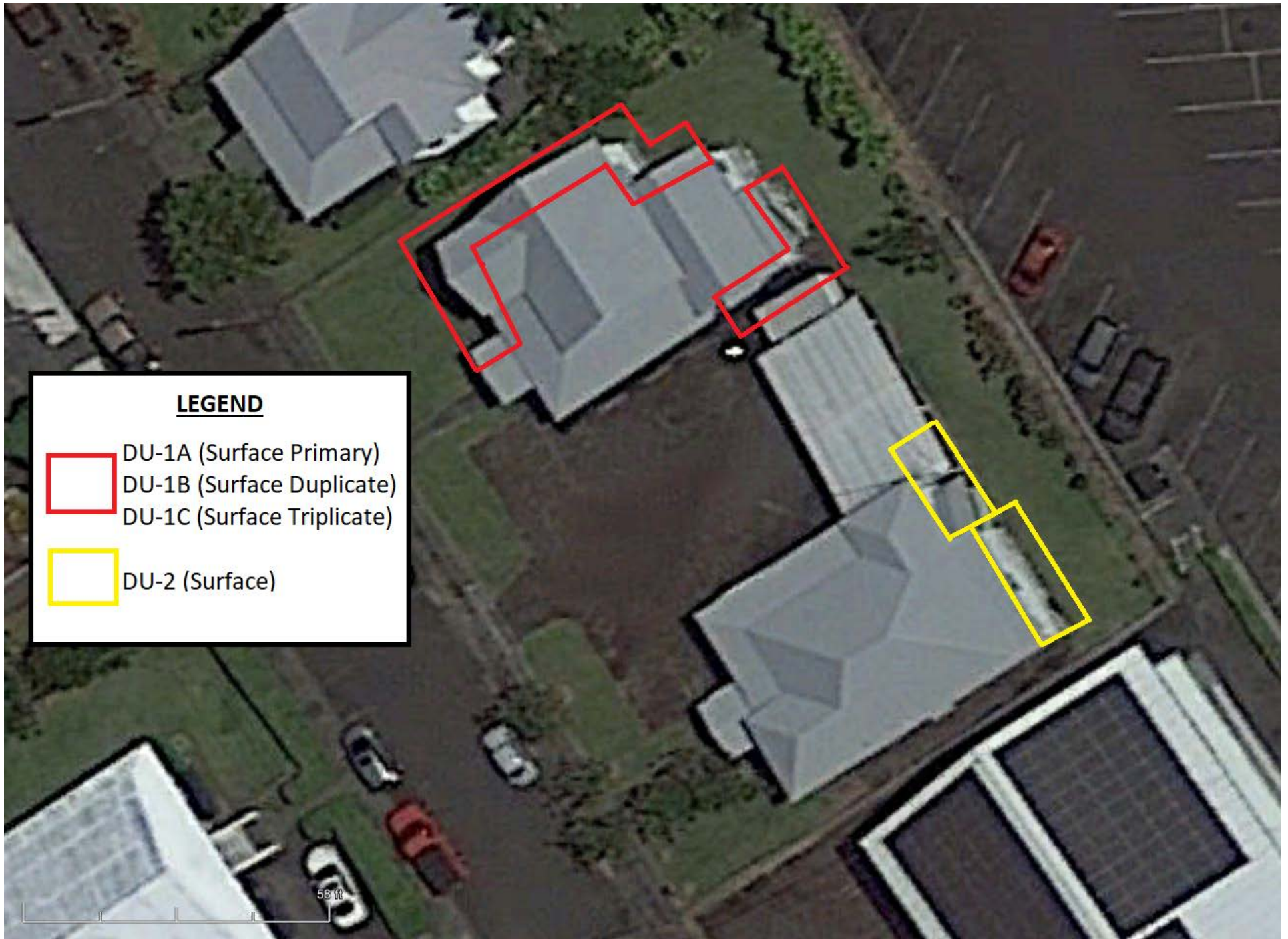
= LEAD HAZARD ASSOCIATED WITH POOR CONDITION PAINT AND/OR DUST



= LEAD HAZARD ASSOCIATED WITH LEAD-IMPACTED BARE SOILS.  
= LEAD-IMPACTED SOILS EXIST 5' FROM THE BUILDING PERIMETER BOTH UNDER THE BUILDING FOOTPRINT AND EXTENDING OUT FROM THE BUILDING PERIMETER.

NOT TO SCALE

Figure 1. Decision Unit (DU) Boundaries for Soil Screen of Bare Soils  
Kalamapii Play School  
55 Ululani Street, Hilo, Hawaii 96720



*Appendix* **III**

**LABORATORY ANALYTICAL RESULTS AND CHAIN-OF-CUSTODY FORMS**





# Hawaii Analytical Laboratory ANALYTICAL REPORT

12 August 2022 issued amended report to replace  
original report dated 11 August 2022

Mr. Kama Kobayashi  
Lehua Environmental Inc.  
P.O. Box 1018  
Kamuela HI 96743

**Phone Number:** (808)494-0365  
**Facsimile:**  
**Email:** lehuaenvironmental@gmail.com

**Lab Job No:** 202207831  
**Date Submitted:** 8/10/2022  
**Your Project:** Kalamapii Play School, 8/9/22

## Total Lead (paint chips)

NIOSH Method: 7082m LEAD by FAAS

Sample No.	Your Sample ID / Description	Results	Units	Date Analyzed
202263350	L-1	52000	mg/kg	8/10/2022
Comments				
202263351	L-2	93000	mg/kg	8/10/2022
Comments				
202263352	L-3	5000	mg/kg	8/10/2022
Comments				
202263353	L-4	590	mg/kg	8/10/2022
Comments				
202263354	L-5	63000	mg/kg	8/10/2022
Comments				

Hawaii Analytical Laboratory (101812) is accredited by the AIHA LAP, LLC in the EMLAP, IHLAP, and ELLAP programs for the scope of work listed on [www.aihaaccreditedlabs.org](http://www.aihaaccreditedlabs.org), in accordance with the recognized ISO/ IEC 17025:2005. AIHA is a NLLAP recognized accrediting body. Controlled doc.: Lead Report, rev. 3 – 20181015

3615 Harding Avenue, Ste. 308, Honolulu, HI 96816 - Telephone: (808) 735-0422 - Fax: (808) 735-0047 Page 1 of 5

12 August 2022 issued amended report to replace original report dated 11 August 2022

Mr. Kama Kobayashi  
Lehua Environmental Inc.  
P.O. Box 1018  
Kamuela HI 96743

Phone Number: (808)494-0365  
Facsimile:  
Email: lehuaenvironmental@gmail.com

Lab Job No: 202207831  
Date Submitted: 8/10/2022  
Your Project: Kalamapii Play School, 8/9/22

### Total Lead (soil)

EPA Method: 3051m / 7000Bm

Sample No.	Your Sample ID / Description	Results	Units	Date Analyzed
202263355	DU-1A	16000	mg/kg	8/11/2022
Comments	Multi-incremental sampling (50 increments) was performed on the sample.			
202263355	DU-1A	16000	mg/kg	8/11/2022
Comments	Multi-incremental sampling (50 increments) was performed on the sample.			
202263356	DU-1B	19000	mg/kg	8/11/2022
Comments	Multi-incremental sampling (50 increments) was performed on the sample.			
202263357	DU-1C	18000	mg/kg	8/11/2022
Comments	Multi-incremental sampling (50 increments) was performed on the sample.			
202263358	DU-2	7900	mg/kg	8/11/2022
Comments	Multi-incremental sampling (50 increments) was performed on the sample.			

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3615 Harding Avenue, Ste. 308, Honolulu, HI 96816 - Telephone: (808) 735-0422 - Fax: (808) 735-0047

Page 2 of 5

12 August 2022 issued amended report to replace original report dated 11 August 2022

Mr. Kama Kobayashi  
Lehua Environmental Inc.  
P.O. Box 1018  
Kamuela HI 96743

Phone Number: (808)494-0365  
Facsimile:  
Email: lehuaenvironmental@gmail.com

Lab Job No: 202207831  
Date Submitted: 8/10/2022  
Your Project: Kalamapii Play School, 8/9/22

### Total Lead (wipes)

NIOSH Method: 7082m LEAD by FAAS

Sample No.	Your Sample ID / Description	Results	Units	Date Analyzed
202263328	LW1	44	ug/ft2	8/10/2022
Comments				
202263329	LW2	220	ug/ft2	8/10/2022
Comments				
202263330	LW3	760	ug/ft2	8/10/2022
Comments				
202263331	LW4	70	ug/ft2	8/10/2022
Comments				
202263332	LW5	14	ug/ft2	8/10/2022
Comments				
202263333	LW6	34	ug/ft2	8/10/2022
Comments				
202263334	LW7	61	ug/ft2	8/10/2022
Comments				
202263335	LW8	35	ug/ft2	8/10/2022
Comments				
202263336	LW9	16	ug/ft2	8/10/2022
Comments				
202263337	LW10	270	ug/ft2	8/10/2022
Comments				
202263338	LW11	12000	ug/ft2	8/10/2022
Comments				

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Page 3 of 5

12 August 2022 issued amended report to replace original report dated 11 August 2022

Mr. Kama Kobayashi  
Lehua Environmental Inc.  
P.O. Box 1018  
Kamuela HI 96743

Phone Number: (808)494-0365  
Facsimile:  
Email: lehuaenvironmental@gmail.com

Lab Job No: 202207831  
Date Submitted: 8/10/2022  
Your Project: Kalamapii Play School, 8/9/22

### Total Lead (wipes)

NIOSH Method: 7082m LEAD by FAAS

Sample No.	Your Sample ID / Description	Results	Units	Date Analyzed
202263339	LW12	490	ug/ft2	8/10/2022
Comments				
202263340	LW13	51	ug/ft2	8/10/2022
Comments				
202263341	LW14	200	ug/ft2	8/10/2022
Comments				
202263342	LW15	1600	ug/ft2	8/10/2022
Comments				
202263343	LW16	42	ug/ft2	8/10/2022
Comments				
202263344	LW17	200	ug/ft2	8/10/2022
Comments				
202263345	LW18	28	ug/ft2	8/10/2022
Comments				
202263346	LW19	95	ug/ft2	8/10/2022
Comments				
202263347	LW20	57	ug/ft2	8/10/2022
Comments				
202263348	LW21	105	ug/ft2	8/10/2022
Comments				
202263349	LW22	480	ug/ft2	8/11/2022
Comments				

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Page 4 of 5

12 August 2022 issued amended report to replace original report dated 11 August 2022

Mr. Kama Kobayashi  
Lehua Environmental Inc.  
P.O. Box 1018  
Kamuela HI 96743

**Phone Number:** (808)494-0365  
**Facsimile:**  
**Email:** lehuaenvironmental@gmail.com

**Lab Job No:** 202207831  
**Date Submitted:** 8/10/2022  
**Your Project:** Kalamapii Play School, 8/9/22

---

**All Quality Control data are acceptable unless otherwise noted.**

**MRL for lead air is 5ug.**

**MRL for lead wipe is 10ug.**

**MRL for lead paint or soil is 40 mg/kg for a 0.25g sample.**

**General Comments**

The sample[s] analysis subject of this analytical report were conducted in general accordance with the procedures associated with the "analytical method" referenced above. Modifications to this methodology may have been made based upon the analyst's professional judgment and / or sample matrix effects encountered. The analysis of sample relates only to the sample analyzed, and may or may not be representative of the original source of the material submitted for our analysis. All analysts participate in interlaboratory quality control testing to continuously document proficiency. This report is not to be duplicated except in full without the expressed written permission of Hawaii Analytical Laboratory. This report should not be construed as an endorsement for a product or a service by the AIHA LAP, LLC or any affiliated organizations. Sample and associated sampling / collection data is reported as provided by client. TWA values have been calculated based on information supplied by the client that the laboratory has not independently verified. Results have not been corrected for blank determinations unless noted in remarks. Unless otherwise indicated the sample condition at the time of receipt was acceptable.

**Results and Symbols Definitions**

> This testing result is greater than the numerical value listed.

< This testing result is less than the numerical value listed.

# = Analytical methods marked with an "#" are not within our AIHA LAP, LLC Scope of Accreditation.

MRL = Method Reporting Limit.



---

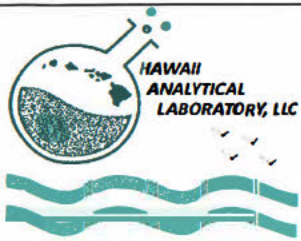
**Jennifer Hsu Liao**  
**Laboratory Manager**

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Page 5 of 5

12 August 2022 issued amended report to replace original report dated 11 August 2022



3615 Harding Avenue, Suite 308  
 Honolulu, HI 96816  
 Ph: 808-735-0422 Fax: 808 735-0047  
<https://analyzehawaii.com>

New Client?

Report To\* : Kama Kobayashi  
 Company : Lehua Environmental Inc.  
 Address\* : PO BOX 1018  
Kamuela, Hawaii 96743  
 Phone / Cell No.\* : 808-494-0365  
 Report results to : K. Kobayashi  
 Email / Fax : Jkline\_geo@gmail.com  
lehuaenvironmental@gmail.com

Invoice To\* : Kamalanā Kobayashi  
 Company : Lehua Environmental Inc.  
 Address\* : PO BOX 1018  
Kamuela, Hawaii 96743  
 Phone / Cell No.\* : \_\_\_\_\_  
 Purchase Order No. : \_\_\_\_\_  
 Email Invoice To : lehuaenvironmental@gmail.com

**Need Results By\*:**

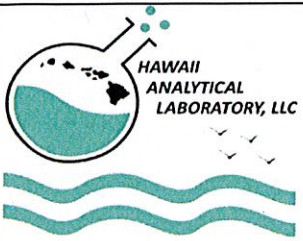
- 5 Working Days (WD)
- 4 WD
- 3 WD
- 2 WD
- 24 hours
- 6 hours or less
- 4 hours or less
- 1-2 hours

Client Project No.: \_\_\_\_\_ Site/Project Name: Kalamapii Play School Sampled By & Certif. # : Jason Kline

Special Instructions: 8/11/2022 Rec'd call from Jason to change TAT to a 2D TAT for wipe & paint samples--ryl PLM POSITIVE STOP?  + stop / SAMPLE  Verbal results?   
 + stop / LAYER

Lab Report No.: 202207831

Sample ID	Sample Description*	Date Sampled* (mm/dd/yy)	Collection Medium	Sample Area / Air Volume	Analysis Requested*	Method Reference	Lab Sample(s) No.:
1	LW1	8/9/2022	Dust Wipe	1sf	Lead wipe		202263328
2	LW2	8/9/2022	Dust Wipe	1sf	Lead wipe		202263329
3	LW3	8/9/2022	Dust Wipe	1sf	Lead wipe		202263330
4	LW4	8/9/2022	Dust Wipe	1sf	Lead wipe		202263331
5	LW5	8/9/2022	Dust Wipe	0.5sf	Lead wipe		202263332
6	LW6	8/9/2022	Dust Wipe	0.5sf	Lead wipe		202263333
7	LW7	8/9/2022	Dust Wipe	0.5sf	Lead wipe		202263334
8	LW8	8/9/2022	Dust Wipe	0.5sf	Lead wipe		202263335
9	LW9	8/9/2022	Dust Wipe	1sf	Lead wipe		202263336
10	LW10	8/9/2022	Dust Wipe	1sf	Lead wipe		202263337
11	LW11	8/9/2022	Dust Wipe	1sf	Lead wipe		202263338
12	LW12	8/9/2022	Dust Wipe	1sf	Lead wipe		202263339
13	LW13	8/9/2022	Dust Wipe	1sf	Lead wipe		202263340
14	LW14	8/9/2022	Dust Wipe	1sf	Lead wipe		202263341
15	LW15	8/9/2022	Dust Wipe	0.3sf	Lead wipe		202263342
16	LW16	8/9/2022	Dust Wipe	1sf	Lead wipe		202263343
17	LW17	8/9/2022	Dust Wipe	1sf	Lead wipe		202263344



3615 Harding Avenue, Suite 308  
 Honolulu, HI 96816  
 Ph: 808-735-0422 - Fax: 808-735-0047  
<https://analyzehawaii.com>

New Client?

Revision 3 - Issued April 2018

M-400

Report To\* : Kama Kobayashi  
 Company : Lehua Environmental Inc.  
 Address\* : PO BOX 1018  
 Kamuela, Hawaii 96743  
 Phone / Cell No.\* : 808-494-0365  
 Report results to : K. Kobayashi  
 Email / Fax : [Jkline.geo@gmail.com](mailto:Jkline.geo@gmail.com),  
[lehuaenvironmental@gmail.com](mailto:lehuaenvironmental@gmail.com)

Invoice To\* : Kamalana Kobayashi  
 Company : Lehua Environmental Inc.  
 Address\* : PO BOX 1018  
 Kamuela, Hawaii 96743  
 Phone / Cell No.\* :  
 Purchase Order No. :  
 Email Invoice To : [lehuaenvironmental@gmail.com](mailto:lehuaenvironmental@gmail.com)

**Need Results By\*:**

- 5 Working Days (WD)
- 4 WD
- 3 WD
- 2 WD
- 24 hours
- 6 hours or less
- 4 hours or less
- 1-2 hours

Client Project No.:

Site/Project Name:

Kalamapii Play School

Sampled By & Certif. # :  
Jason Kline

Special Instructions:

PLM POSITIVE STOP?

Verbal results?

- + stop / SAMPLE
- + stop / LAYER

Lab Report No.:

**07831**

Sample ID	Sample Description*	Date Sampled* (mm/dd/yy)	Collection Medium	Sample Area / Air Volume	Analysis Requested*	Method Reference	Lab Sample(s) No.:
18	LW18	8/9/2022	Dust Wipe	.7sf	Lead wipe		202263345
19	LW19	8/9/2022	Dust Wipe	1sf	Lead wipe		202263346
20	LW20	8/9/2022	Dust Wipe	1sf	Lead wipe		202263347
21	LW21	8/9/2022	Dust Wipe	1sf	Lead wipe		202263348
22	LW22	8/9/2022	Dust Wipe	1sf	Lead wipe		202263349
23	L-1	8/9/2022	Paint chip		Total Lead		202263350
24	L-2	8/9/2022	Paint chip		Total Lead		202263351
25	L-3	8/9/2022	Paint chip		Total Lead		202263352
26	L-4	8/9/2022	Paint chip		Total Lead		202263353
27	L-5	8/9/2022	Paint chip		Total Lead		202263354
	DU-1A	8/9/2022	Soil		Total Lead&MIS prep 50		202263355
	DU-1B	8/9/2022	Soil		Total Lead&MIS prep 50 <i>AK</i>		202263356
	DU-1C	8/9/2022	Soil		Total Lead&MIS prep 50 <i>AK</i>		202263357
	DU-2	8/9/2022	Soil		Total Lead&MIS prep 50 <i>AK</i>		202263358

*HAC:173-35724345*

Adam Hagadone

08-10-22A10:54 RCVD

Thank you again for your guidance in looking at those 2 lead reports. We have a question regarding the re-painting of the deteriorated lead-based paint areas. If those areas were re-painted can our child care licensing workers be the ones to visually inspect the areas or does an EPA certified contractor have to be the one to inspect the re-painted areas.

Thank you,  
Lisa

---

**From:** Lileikis, Thomas G. <[thomas.lileikis@doh.hawaii.gov](mailto:thomas.lileikis@doh.hawaii.gov)>  
**Sent:** Thursday, August 25, 2022 9:46 AM  
**To:** Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>; Bilan, Reuben <[reuben.bilan@doh.hawaii.gov](mailto:reuben.bilan@doh.hawaii.gov)>; Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>  
**Cc:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Subject:** RE: Assistance with Lead-Based Paint

Aloha all and thank you for your inquiry.

According to the reports, it appears that a Hawaii Certified LBP Risk Assessor provided some lead risk assessment activities for the subject property. The risk assessor found paint-lead, dust-lead and soil-lead hazards in various areas. Soon after, Unitek Insulation (a HI Certified Lead Abatement Firm) appeared to perform abatement of lead-contaminated dust only throughout the various areas (as stated in the clearance report, "Additional lead hazards may still exist as identified in the previous report").

Following the lead dust abatement, the risk assessor performed a dust wipe clearance. In the associated report, all the dust hazards were abated (the one failed sample subsequently passed after further cleaning).

Therefore, the lead-dust hazards have been abated. However, have the areas with deteriorated lead-based paint been repaired (to prevent the dust from re-accumulating)? Re-painting is an option, although if any lead-based paint is disturbed during the re-painting activity, a painter with EPA RRP certification would be necessary (simply re-painting without existing paint disturbance can usually be performed by non-EPA certified contractors). Also, has the bare soil with lead hazards been covered or access restricted? This would be important if children have access to these areas.

I hope this helps. Let us know if there are further questions.

Mahalo and stay well,



Tom

*Thomas Lileikis  
Indoor & Radiological Health Branch  
Hawaii Department of Health  
(808) 586-5800*



**HAWAII STATE DEPARTMENT OF HEALTH**  
HEALTHY PEOPLE - HEALTHY COMMUNITIES - HEALTHY ISLANDS

---

**From:** Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>  
**Sent:** Thursday, August 25, 2022 9:08 AM  
**To:** Lileikis, Thomas G. <[thomas.lileikis@doh.hawaii.gov](mailto:thomas.lileikis@doh.hawaii.gov)>; Bilan, Reuben <[reuben.bilan@doh.hawaii.gov](mailto:reuben.bilan@doh.hawaii.gov)>; Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>  
**Cc:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Subject:** FW: Assistance with Lead-Based Paint

Hi Lisa- I am forwarding your email to Tom Lilekis and Reuben Bilan of DOH's Lead Paint Program (cc'ed on this email). They should be able to assist you with your questions.  
Tom and Reuben- Lisa works for DOH's childcare office and has been a great partner with us for the WIIN lead in drinking water project.  
Thanks.  
Diana

---

**From:** Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>  
**Sent:** Wednesday, August 24, 2022 2:13 PM  
**To:** Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>  
**Subject:** FW: Assistance with Lead-Based Paint

Hi Diana,

Attached is the previous report (31 pages), which is titled Lead Risk Assessment Report.

Thank you,  
Lisa

---

**From:** Galino, Lisa  
**Sent:** Wednesday, August 24, 2022 12:41 PM  
**To:** Felton, Diana <[Diana.Felton@doh.hawaii.gov](mailto:Diana.Felton@doh.hawaii.gov)>  
**Cc:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Subject:** Assistance with Lead-Based Paint

Hi Diana,

Hope you are doing fine. I was wondering if you can help us connect with someone in DOH that has Lead-Based paint expertise. We have a child care facility on Hawaii Island that did a lead-based paint assessment. The results are attached. I guess we are looking for someone to help us interpret the information in the report. The report does show one fail with lead concentration results at 41.0. The attached report also looks like it was done after the completion of lead dust abatement activities by another contractor. We do not have that report from that abatement contractor.

I have included our Central Hilo Unit supervisor, Jana Piimauna, to the email. Her number is (808) 981-7292 so they can connect.

Thank you,

Lisa

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NOTICE: This information and attachments are intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged and/or confidential. If the reader of this message is not the intended recipient, any dissemination, distribution or copying of this communication is strictly prohibited and may be punishable under state and federal law. If you have received this communication and/or attachments in error, please notify the sender via email immediately and destroy all electronic and paper copies.



## Lehua Environmental Inc.

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P.O. Box 1018 • Kamuela, Hawaii 96743 • Tel: (808) 494-0365 • E-mail: LehuaEnvironmental@gmail.com

September 15, 2022

Kalamapii Play School  
55 Ululani Street  
Hilo, Hawaii 96720

Attention: Kimberly Peirce

Subject:       **LEAD SOIL SCREEN SUMMARY  
KALAMAPII PLAY SCHOOL  
55 ULULANI STREET, HILO, HAWAII 96720**

Lehua Environmental Inc. (LEI) completed a lead soil screen (Screen) within the areas of surface soil removal and replacement with wood chips and wood mulch at the Kalamapii Play School located at 55 Ululani Street in Hilo, Hawaii (Subject Site). LEI's Screen included the multi-incremental sample collection of surface soils (0" – 6" below ground surface). The purpose of the Screen was to identify lead concentrations within the areas of previous soil removal and replacement with wood chips and wood mulch at the Subject Site.

Laboratory results indicated that the lead concentrations in the sampled locations exceed the Hawaii Department of Health Environmental Action Level (DOH EAL) for unrestricted land use and commercial industrial land use.

LEI recommends the following in areas with soils identified to exceed the Hawaii DOH EAL for lead in soil:

- 1) Contaminated soil removed from the Subject Site must be disposed of in accordance with Federal and State rules and regulations, 2) dust control practices should include both wetting during soil disturbance activities and monitoring by a designated competent person, in addition to containing temporary soil stockpiles, 3) use of good general hygiene practices for tenants, public, employees and workers to avoid soil exposure, 4) long-term controls should be implemented on the site to minimize the potential for exposure to lead-contaminated soil by tenants, public, employees and workers, 5) possible need to cover any bare soil, if subject to wind or water transport off-site, 6) notify the Hawaii Department of Health Hazard Evaluation and Emergency Response office of these findings and obtain guidance on remedial activities, 7) limit exposure to the contaminated soils to properly trained personnel.
- Prepare and submit for approval to the Hawaii DOH Hazard Evaluation and Emergency Response (HEER) office a Construction Environmental Hazard Management Plan (C-EHMP) which outlines the proper handling and management of soil and/or groundwater,



sampling and analysis protocol for soil, the planned re-use/disposal locations for excavated soil, health and safety measures to be taken to protect workers, environment and the general public. The C-EHMP should be approved by the Hawaii DOH HEER office prior to the start of lead-contaminated soil disturbance at the Subject Site.

Sincerely,

LEHUA ENVIRONMENTAL INC.

A handwritten signature in black ink, appearing to read 'Kamalana'.

Kamalana Kobayashi  
Environmental Consultant

**From:** [Lileikis, Thomas G.](#)  
**To:** [Piimauna, Jana S](#); [Bilan, Reuben](#); [Felton, Diana](#)  
**Cc:** [Galino, Lisa](#); [Luka, Dayna](#); [Sato, Dana](#)  
**Subject:** RE: Assistance with Lead-Based Paint  
**Date:** Monday, September 19, 2022 1:27:54 PM  
**Attachments:** [image002.png](#)

---

Aloha Jana,

Our only correspondence regarding this was my last email to Lisa Galino (copy to you) on August 25, 2022 in which we offered assistance on the results of the assessments by Lehua Environmental dated August 17 and 19, 2022. The Department of Health Indoor & Radiological Health Branch has not been contacted by Kalamapii Play School (nor its owner, Kimberly Pierce) regarding the findings by Lehua Environmental.

Let me know if there are further questions.

Take care,

Tom

*Thomas Lileikis  
Indoor & Radiological Health Branch  
Hawaii Department of Health  
(808) 586-5800*



**HAWAII STATE DEPARTMENT OF HEALTH**  
HEALTHY PEOPLE - HEALTHY COMMUNITIES - HEALTHY ISLANDS

---

**From:** Piimauna, Jana S <[jpimauna@dhs.hawaii.gov](mailto:jpimauna@dhs.hawaii.gov)>  
**Sent:** Monday, September 19, 2022 1:16 PM  
**To:** Lileikis, Thomas G. <[thomas.lileikis@doh.hawaii.gov](mailto:thomas.lileikis@doh.hawaii.gov)>; Bilan, Reuben <[reuben.bilan@doh.hawaii.gov](mailto:reuben.bilan@doh.hawaii.gov)>; Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>  
**Cc:** Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>; Luka, Dayna <[DLuka@dhs.hawaii.gov](mailto:DLuka@dhs.hawaii.gov)>; Sato, Dana <[DSato@dhs.hawaii.gov](mailto:DSato@dhs.hawaii.gov)>  
**Subject:** FW: Assistance with Lead-Based Paint

Aloha,

I would like to confirm whether or not Kalamapi'i Play School, Owner Kimberly Pierce, made contact with you folks regarding the contaminated soil on their site. According to the Soil Screen Summary provided by Lehua Environmental, they need to notify DOH Hazard Evaluation and Emergency Response of the findings and to get guidance regarding remediation. I am unsure if that is your department. I have attached what Kalamapi'i sent us. If you could point us in the right direction, we would appreciate it.

Thank you,

**EXHIBIT 10**

**From:** [Piimauna, Jana S](#)  
**To:** [Luka, Dayna](#)  
**Subject:** FW: Assistance with Lead in soil  
**Date:** Friday, October 7, 2022 2:41:04 PM  
**Attachments:** [image001.png](#)

---

**From:** Gilmore, Thomas <thomas.gilmore@doh.hawaii.gov>  
**Sent:** Tuesday, September 27, 2022 8:43 AM  
**To:** Piimauna, Jana S <jpiimauna@dhs.hawaii.gov>  
**Cc:** Grange, Gabrielle Fenix <Gabrielle.Grange@doh.hawaii.gov>; Felton, Diana <diana.felton@doh.hawaii.gov>; Sato, Dana <DSato@dhs.hawaii.gov>; Galino, Lisa <LisaGalino@dhs.hawaii.gov>  
**Subject:** RE: Assistance with Lead in soil

Good morning Jana. She has not made contact with me.

Thomas Gilmore | Remedial Project Manager  
Department of Health | Hazard Evaluation &  
Emergency Response Office  
1582 Kamehameha Ave  
Hilo, HI 96720  
(808) 586-4353

---

**From:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Sent:** Tuesday, September 27, 2022 8:30 AM  
**To:** Gilmore, Thomas <[thomas.gilmore@doh.hawaii.gov](mailto:thomas.gilmore@doh.hawaii.gov)>  
**Cc:** Grange, Gabrielle Fenix <[Gabrielle.Grange@doh.hawaii.gov](mailto:Gabrielle.Grange@doh.hawaii.gov)>; Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>; Sato, Dana <[DSato@dhs.hawaii.gov](mailto:DSato@dhs.hawaii.gov)>; Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>  
**Subject:** FW: Assistance with Lead in soil

Good morning Thomas,

I am checking to see if Ms. Kimberly Pierce from Kalamapi'i Play School has made contact with you yet regarding the lead in their soil.

Thank you,



## Jana Piimauna

Central Hilo Unit Supervisor  
Benefit, Employment & Support Services Division  
First To Work & Child Care Licensing  
1990 Kinooe St Suite 109  
Hilo, HI 96720  
Phone: (808) 981-7292  
Main Line: (808) 981-7290  
Fax: (808) 981-7299

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**From:** Piimauna, Jana S  
**Sent:** Tuesday, September 20, 2022 9:19 AM  
**To:** Gilmore, Thomas <[thomas.gilmore@doh.hawaii.gov](mailto:thomas.gilmore@doh.hawaii.gov)>  
**Cc:** Grange, Gabrielle Fenix <[Gabrielle.Grange@doh.hawaii.gov](mailto:Gabrielle.Grange@doh.hawaii.gov)>; Felton, Diana <[Diana.Felton@doh.hawaii.gov](mailto:Diana.Felton@doh.hawaii.gov)>; Luka, Dayna <[DLuka@dhs.hawaii.gov](mailto:DLuka@dhs.hawaii.gov)>; Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>; Sato, Dana <[DSato@dhs.hawaii.gov](mailto:DSato@dhs.hawaii.gov)>  
**Subject:** RE: Assistance with Lead in soil

Aloha Thomas,

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Thank you for reaching out. I have included the summary findings from Lehua Environmental. I have asked for the report from the owner, Kimberly Pierce, but she has not responded to us yet. Her contact information is 808.557.9537 if you would like to reach out to her. Can you please keep us advised should you manage to speak with her? If she does send us the report, I will forward that to you.

Thank you,  
Jana

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**From:** Gilmore, Thomas <[thomas.gilmore@doh.hawaii.gov](mailto:thomas.gilmore@doh.hawaii.gov)>  
**Sent:** Tuesday, September 20, 2022 9:03 AM  
**To:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Cc:** Grange, Gabrielle Fenix <[Gabrielle.Grange@doh.hawaii.gov](mailto:Gabrielle.Grange@doh.hawaii.gov)>; Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>  
**Subject:** FW: Assistance with Lead in soil

Aloha Jana: My name is Tom Gilmore and I am from the HEER Office and can assist with your questions about the lead in soil at the Kalamapii Play School. I am located in Hilo and my contact information is included in this email. I will need to review the data that was supplied in the reports from the soil sampling. I don't have any of that information yet. Do I need to contact the property owner, Lehua Environmental or can you provide me with a copy of the report? Please feel free to call me if you have any questions.

Thomas Gilmore | Remedial Project Manager  
Department of Health | Hazard Evaluation &  
Emergency Response Office  
1582 Kamehameha Ave  
Hilo, HI 96720  
(808) 586-4353

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**From:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Sent:** Monday, September 19, 2022 3:19 PM  
**To:** Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>; Lileikis, Thomas G.  
<[thomas.lileikis@doh.hawaii.gov](mailto:thomas.lileikis@doh.hawaii.gov)>; Bilan, Reuben <[reuben.bilan@doh.hawaii.gov](mailto:reuben.bilan@doh.hawaii.gov)>  
**Cc:** Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>; Luka, Dayna <[DLuka@dhs.hawaii.gov](mailto:DLuka@dhs.hawaii.gov)>; Sato, Dana  
<[DSato@dhs.hawaii.gov](mailto:DSato@dhs.hawaii.gov)>; Grange, Gabrielle Fenix <[Gabrielle.Grange@doh.hawaii.gov](mailto:Gabrielle.Grange@doh.hawaii.gov)>; Young,  
Laura L <[laura.young@doh.hawaii.gov](mailto:laura.young@doh.hawaii.gov)>  
**Subject:** RE: Assistance with Lead in soil

Hi Diana and Thomas,

Thank you both for responding. I will reach out to Ms. Pierce and see if we can get that information and send it over to Fenix.

Thank you,



### Jana Piimauna

Central Hilo Unit Supervisor  
Benefit, Employment & Support Services Division  
First To Work & Child Care Licensing  
1990 Kinoe St Suite 109  
Hilo, HI 96720  
Phone: (808) 981-7292  
Main Line: (808) 981-7290  
Fax: (808) 981-7299

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**From:** Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>  
**Sent:** Monday, September 19, 2022 3:14 PM  
**To:** Lileikis, Thomas G. <[thomas.lileikis@doh.hawaii.gov](mailto:thomas.lileikis@doh.hawaii.gov)>; Piimauna, Jana S  
<[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>; Bilan, Reuben <[reuben.bilan@doh.hawaii.gov](mailto:reuben.bilan@doh.hawaii.gov)>  
**Cc:** Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>; Luka, Dayna <[DLuka@dhs.hawaii.gov](mailto:DLuka@dhs.hawaii.gov)>; Sato, Dana  
<[DSato@dhs.hawaii.gov](mailto:DSato@dhs.hawaii.gov)>; Grange, Gabrielle Fenix <[Gabrielle.Grange@doh.hawaii.gov](mailto:Gabrielle.Grange@doh.hawaii.gov)>; Young,  
Laura L <[laura.young@doh.hawaii.gov](mailto:laura.young@doh.hawaii.gov)>  
**Subject:** RE: Assistance with Lead in soil



Hi Jana- Thank you for getting in touch. The Hazard Evaluation and Emergency Response (HEER) Office of DOH is the correct office to help Kalamapii Play School (55 Ululani St, Hilo) manage the findings of elevated lead in the soil.

The exact next steps depend on a number of factors, but staff from the HEER Office's Site Discovery and Remediation (SDAR) Section can advise Ms. Pierce and Kalamapii Play School.

The SDAR supervisor, Fenix Grange, is cc'ed on this email and is the correct contact for Ms. Pierce regarding the findings of lead in the soil over the Environmental Action Levels as found by Lehua Environmental. Phone 808-586-4248.

It would help the HEER SDAR staff to best advise the Play School if they could see the actual results of the testing. The Attached summary from Lehua environmental dated 9/15/22 is helpful, but the actual results would be very useful. Is there an official report from Lehua Env? Is it possible to have that information sent to Fenix?

Please let me know if you have any questions and if we can further assist.

Thanks.

Diana

Diana Felton, MD

State Toxicologist

Hawai'i Department of Health | Hazard Evaluation and Emergency Response Office (HEER)

2385 Waimano Home Road | Pearl City, Hawai'i 96782

808-586-0963 | [diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)

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**From:** Lileikis, Thomas G. <[thomas.lileikis@doh.hawaii.gov](mailto:thomas.lileikis@doh.hawaii.gov)>

**Sent:** Monday, September 19, 2022 1:28 PM

**To:** Piimauna, Jana S <[piimauna@dhs.hawaii.gov](mailto:piimauna@dhs.hawaii.gov)>; Bilan, Reuben <[reuben.bilan@doh.hawaii.gov](mailto:reuben.bilan@doh.hawaii.gov)>; Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>

**Cc:** Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>; Luka, Dayna <[DLuka@dhs.hawaii.gov](mailto:DLuka@dhs.hawaii.gov)>; Sato, Dana <[DSato@dhs.hawaii.gov](mailto:DSato@dhs.hawaii.gov)>

**Subject:** RE: Assistance with Lead-Based Paint

Aloha Jana,

Our only correspondence regarding this was my last email to Lisa Galino (copy to you) on August 25, 2022 in which we offered assistance on the results of the assessments by Lehua Environmental dated August 17 and 19, 2022. The Department of Health Indoor & Radiological Health Branch has not been contacted by Kalamapii Play School (nor its owner, Kimberly Pierce) regarding the findings by Lehua Environmental.

Let me know if there are further questions.

Take care,

Tom

Thomas Lileikis  
Indoor & Radiological Health Branch  
Hawaii Department of Health  
(808) 586-5800



**HAWAII STATE DEPARTMENT OF HEALTH**  
HEALTHY PEOPLE - HEALTHY COMMUNITIES - HEALTHY ISLANDS

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**From:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Sent:** Monday, September 19, 2022 1:16 PM  
**To:** Lileikis, Thomas G. <[thomas.lileikis@doh.hawaii.gov](mailto:thomas.lileikis@doh.hawaii.gov)>; Bilan, Reuben <[reuben.bilan@doh.hawaii.gov](mailto:reuben.bilan@doh.hawaii.gov)>; Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>  
**Cc:** Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>; Luka, Dayna <[DLuka@dhs.hawaii.gov](mailto:DLuka@dhs.hawaii.gov)>; Sato, Dana <[DSato@dhs.hawaii.gov](mailto:DSato@dhs.hawaii.gov)>  
**Subject:** FW: Assistance with Lead-Based Paint

Aloha,

I would like to confirm whether or not Kalamapi'i Play School, Owner Kimberly Pierce, made contact with you folks regarding the contaminated soil on their site. According to the Soil Screen Summary provided by Lehua Environmental, they need to notify DOH Hazard Evaluation and Emergency Response of the findings and to get guidance regarding remediation. I am unsure if that is your department. I have attached what Kalamapi'i sent us. If you could point us in the right direction, we would appreciate it.

Thank you,

**Jana Piimauna**

Central Hi'o Unit Supervisor  
Benefit, Employment & Support Services Division  
First To Work & Child Care Licensing  
1990 Kinoo'e St Suite 109  
Hi'o, HI 96720  
Phone: (808) 981-7292  
Main Line: (808) 981-7290  
Fax: (808) 981-7299

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**From:** Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>

**Sent:** Thursday, September 8, 2022 1:24 PM

**To:** Lileikis, Thomas G. <[thomas.lileikis@doh.hawaii.gov](mailto:thomas.lileikis@doh.hawaii.gov)>; Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>; Bilan, Reuben <[reuben.bilan@doh.hawaii.gov](mailto:reuben.bilan@doh.hawaii.gov)>

**Cc:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>; Luka, Dayna <[DLuka@dhs.hawaii.gov](mailto:DLuka@dhs.hawaii.gov)>

**Subject:** RE: Assistance with Lead-Based Paint

Hi Tom,

Thank you again for your guidance in looking at those 2 lead reports. We have a question regarding the re-painting of the deteriorated lead-based paint areas. If those areas were re-painted can our child care licensing workers be the ones to visually inspect the areas or does an EPA certified contractor have to be the one to inspect the re-painted areas.

Thank you,  
Lisa

---

**From:** Lileikis, Thomas G. <[thomas.lileikis@doh.hawaii.gov](mailto:thomas.lileikis@doh.hawaii.gov)>

**Sent:** Thursday, August 25, 2022 9:46 AM

**To:** Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>; Bilan, Reuben <[reuben.bilan@doh.hawaii.gov](mailto:reuben.bilan@doh.hawaii.gov)>; Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>

**Cc:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>

**Subject:** RE: Assistance with Lead-Based Paint

Aloha all and thank you for your inquiry.

According to the reports, it appears that a Hawaii Certified LBP Risk Assessor provided some lead risk assessment activities for the subject property. The risk assessor found paint-lead, dust-lead and soil-lead hazards in various areas. Soon after, Unitek Insulation (a HI Certified Lead Abatement Firm) appeared to perform abatement of lead-contaminated dust only throughout the various areas (as stated in the clearance report, "Additional lead hazards may still exist as identified in the previous report").

Following the lead dust abatement, the risk assessor performed a dust wipe clearance. In the associated report, all the dust hazards were abated (the one failed sample subsequently passed after further cleaning).

Therefore, the lead-dust hazards have been abated. However, have the areas with deteriorated lead-based paint been repaired (to prevent the dust from re-accumulating)? Re-painting is an option, although if any lead-based paint is disturbed during the re-painting activity, a painter with EPA RRP certification would be necessary (simply re-painting without existing paint disturbance can usually be performed by non-EPA certified contractors). Also, has the bare soil with lead hazards been covered or access restricted? This would be

important if children have access to these areas.

I hope this helps. Let us know if there are further questions.

Mahalo and stay well,

Tom

*Thomas Lileikis*  
*Indoor & Radiological Health Branch*  
*Hawaii Department of Health*  
*(808) 586-5800*



**HAWAII STATE DEPARTMENT OF HEALTH**  
HEALTHY PEOPLE - HEALTHY COMMUNITIES - HEALTHY ISLANDS

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**From:** Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>  
**Sent:** Thursday, August 25, 2022 9:08 AM  
**To:** Lileikis, Thomas G. <[thomas.lileikis@doh.hawaii.gov](mailto:thomas.lileikis@doh.hawaii.gov)>; Bilan, Reuben <[reuben.bilan@doh.hawaii.gov](mailto:reuben.bilan@doh.hawaii.gov)>; Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>  
**Cc:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Subject:** FW: Assistance with Lead-Based Paint

Hi Lisa- I am forwarding your email to Tom Lilekis and Reuben Bilan of DOH's Lead Paint Program (cc'ed on this email). They should be able to assist you with your questions.  
Tom and Reuben- Lisa works for DOH's childcare office and has been a great partner with us for the WIIN lead in drinking water project.  
Thanks.  
Diana

---

**From:** Galino, Lisa <[LisaGalino@dhs.hawaii.gov](mailto:LisaGalino@dhs.hawaii.gov)>  
**Sent:** Wednesday, August 24, 2022 2:13 PM  
**To:** Felton, Diana <[diana.felton@doh.hawaii.gov](mailto:diana.felton@doh.hawaii.gov)>  
**Subject:** FW: Assistance with Lead-Based Paint

Hi Diana,

Attached is the previous report (31 pages), which is titled Lead Risk Assessment Report.

Thank you,  
Lisa

---

**From:** Galino, Lisa  
**Sent:** Wednesday, August 24, 2022 12:41 PM  
**To:** Felton, Diana <[Diana.Felton@doh.hawaii.gov](mailto:Diana.Felton@doh.hawaii.gov)>  
**Cc:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Subject:** Assistance with Lead-Based Paint

Hi Diana,

Hope you are doing fine. I was wondering if you can help us connect with someone in DOH that has Lead-Based paint expertise. We have a child care facility on Hawaii Island that did a lead-based paint assessment. The results are attached. I guess we are looking for someone to help us interpret the information in the report. The report does show one fail with lead concentration results at 41.0. The attached report also looks like it was done after the completion of lead dust abatement activities by another contractor. We do not have that report from that abatement contractor.

I have included our Central Hilo Unit supervisor, Jana Piimauna, to the email. Her number is (808) 981-7292 so they can connect.

Thank you,  
Lisa

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**From:** [Piimauna, Jana S](#)  
**To:** [Luka, Dayna](#)  
**Subject:** FW: Campus visit 10/5/22 email to Kim  
**Date:** Friday, October 7, 2022 2:39:52 PM

---

**From:** Piimauna, Jana S  
**Sent:** Wednesday, October 5, 2022 8:35 AM  
**To:** Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)>  
**Subject:** RE: Campus visit

Hi Kim,

I'm getting ready to go into a meeting but have some questions. What areas did you re-paint? Did you get direction from Lehua Environmental as to what areas required it and can you provide that to us so we know where we need to look? Also, did you get in touch with DOH regarding the soil remediation and what was their direction?

Thanks,  
Jana

---

**From:** Kimberly Pierce <[kimbatespierce@gmail.com](mailto:kimbatespierce@gmail.com)>  
**Sent:** Wednesday, October 5, 2022 7:54 AM  
**To:** Piimauna, Jana S <[jpiimauna@dhs.hawaii.gov](mailto:jpiimauna@dhs.hawaii.gov)>  
**Subject:** Campus visit

Hi,  
Left you a voice mail yesterday, but I know for me, sometimes when I see it in writing it is easiest for me to track!  
Anytime for your team on Thursday would be fine.  
I had said after lunch, but it doesn't have to be.  
Just let me know

Kim Pierce  
Executive Director [Kalamapi'i PLAY School](#)  
Founder of the [Root2Rise Counseling Center](#)  
Licensed Marriage and Family Therapist  
Hilo Hawaii  
808.557.9537

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error, please notify the sender via email immediately and destroy all electronic and paper copies.



IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAI'I

CATHERINE BETTS, In Her Official  
Capacity as Director of the Department of  
Human Services, State of Hawai'i,

Plaintiff,

vs.

KALAMAPI'I PLAY SCHOOL; MIE  
KANAMORI; KIMBERLY PIERCE; JOHN  
DOE 1-10; JANE DOE 1-10; DOE  
ENTITIES 1-10,

Defendants.

CIVIL NO. 3CCV-22-0000308  
(Other Civil Action)

NOTICE OF HEARING AND  
CERTIFICATE OF SERVICES

**NOTICE OF HEARING**

TO: KALAMAPI'I PLAY SCHOOL  
MIE KANAMORI, ACTING DIRECTOR  
KIMBERLY PIERCE, OWNER  
55 Ululani Street  
Hilo, Hawai'i 96720

NOTICE IS HEREBY GIVEN that Plaintiff State Hawai'i Department of Human Services' motion for injunctive relief shall come on for hearing by **ZOOM VIDEO HEARING** before the Honorable Peter K. Kubota, Judge of the Third Circuit Court, on **November 15, 2022 at 8:00 a.m.**

DATED: Honolulu, Hawai'i, October 10, 2022.

HOLLY T. SHIKADA  
Attorney General

/s/ Melissa L. Lewis  
MELISSA L. LEWIS  
LYNNE M. YOUMANS  
JAMES W. WALTHER  
Deputy Attorneys General  
Attorneys for Plaintiff  
State of Hawai'i  
Department of Human Services

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing document was served upon the following persons on the date indicated below by United States mail, postage prepaid:

KALAMAPI'I PLAY SCHOOL  
MIE KANAMORI, ACTING DIRECTOR  
KIMBERLY PIERCE, OWNER  
55 Ululani Street  
Hilo, Hawai'i 96720

DATED: Honolulu, Hawai'i, October 10, 2022.

/s/ Melissa L. Lewis  
MELISSA L. LEWIS  
Deputy Attorney General

Attorney for Plaintiff  
State of Hawai'i  
Department of Human Services