
A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that there is a growing
2 body of research on the prevalence of school bullying, the
3 likelihood of school bullies to develop antisocial behavior, and
4 the effects of bullying on its victims and on school climates.
5 A 2002 United States Secret Service report found bullying played
6 a major role in several school shootings on the mainland.

7 In Hawaii, three newspaper articles in *The Honolulu*
8 *Advertiser*, dated February 5, 2006, June 28, 2006, and
9 September 26, 2006, highlighted the problem of bullying in
10 Hawaii's public schools. The legislature finds that more
11 attention and awareness needs to be focused within the schools
12 on bullying.

13 The legislature further finds that the widespread use of
14 technology has given rise to cyberbullying, which is used by
15 students with greater frequency in lieu of traditional
16 schoolyard bullying.



1 The purpose of this Act is to require the department of
2 education to adopt rules to reduce and prevent school bullying
3 and cyberbullying.

4 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 "§302A- Bullying; rules. The department shall adopt
8 rules in accordance with chapter 91 regarding policies and
9 procedures to reduce and prevent school bullying and
10 cyberbullying. At a minimum, the rules shall include:

11 (1) A prohibition against students bullying other students
12 on school grounds, on school property, on school
13 buses, at school bus stops, and at school sponsored
14 events and activities;

15 (2) A prohibition against students cyberbullying other
16 students;

17 (3) A procedure for students to confidentially report to
18 school officials incidents of bullying or
19 cyberbullying;

20 (4) A procedure for parents and guardians of students to
21 submit written reports to school officials of
22 suspected incidents of bullying or cyberbullying;



- 1 (5) A requirement that school district employees report
2 suspected incidents of bullying or cyberbullying to
3 the appropriate school official;
- 4 (6) A formal process for the documentation of reported
5 incidents of bullying or cyberbullying, except that no
6 documentation shall be maintained unless the bullying
7 or cyberbullying has been proven;
- 8 (7) A formal process for the investigation by the
9 appropriate school officials of suspected incidents of
10 bullying or cyberbullying;
- 11 (8) A formal process for reporting incidents of bullying
12 and cyberbullying to the county police department;
- 13 (9) Disciplinary procedures, including but not limited to
14 suspension from school for up to five days, for
15 students who have admitted to committing or have been
16 found to have committed bullying or cyberbullying; and
- 17 (10) A procedure that sets forth consequences for
18 submitting false reports of incidents of bullying or
19 cyberbullying."

20 SECTION 3. Section 302A-101, Hawaii Revised Statutes, is
21 amended by adding two new definitions to be appropriately
22 inserted and to read as follows:



1 "Cyberbullying" means to communicate electronically,
2 including but not limited to, communications transmitted through
3 a computer system, blog, cellular telephone, facsimile, text
4 message, online community website such as MySpace, computer
5 network, or similar telecommunication mechanism, and with the
6 electronic communication not having a legitimate purpose and
7 including elements of harassment, intimidation, taunting, and
8 ridicule.

9 "School bullying" means aggressive behavior or intentional
10 harm directed at another student and committed by an individual
11 student or group of students repeatedly over time. The act of
12 bullying may take various forms, including but not limited to
13 physical abuse, harassment, intimidation, taunting, and
14 ridicule."

15 SECTION 4. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so
17 much thereof as may be necessary for fiscal year 2009-2010 and
18 the sum of \$ or so much thereof as may be necessary
19 for fiscal year 2010-2011 for the implementation of model anti-
20 bullying programs in schools.

21 SECTION 5. The sums appropriated shall be expended by the
22 department of education for the purposes of this Act.



1 SECTION 6. New statutory material is underscored.

2 SECTION 7. This Act shall take effect on July 1, 2009.

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INTRODUCED BY:

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Report Title:

DOE; School Bullying; Model Anti-Bullying Programs;
Appropriation

Description:

Requires the department of education to adopt rules to prohibit school bullying and cyberbullying. Makes appropriation.

