

MAR 13 2012

SENATE CONCURRENT RESOLUTION

REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF
EDUCATION TO MAINTAIN, MONITOR, AND ENFORCE ANTI-BULLYING,
ANTI-CYBERBULLYING, AND ANTI-HARASSMENT POLICIES AND
PROCEDURES TO PROTECT PUBLIC AND CHARTER SCHOOL STUDENTS.

1 WHEREAS, all students have the right to participate fully
2 in the education process, free from bullying, cyberbullying, and
3 harassment; and

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5 WHEREAS, a safe and civil environment in school is
6 necessary for students to learn and to meet high academic
7 standards; and

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9 WHEREAS, bullying, cyberbullying, and harassment, like
10 other disruptive or violent behaviors, are forms of conduct that
11 disrupt a student's ability to learn and a school's ability to
12 educate its students in a safe environment; and

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14 WHEREAS, because students learn by example, school
15 administrators, faculty, staff, and volunteers should be
16 expected to demonstrate appropriate behavior, treat others with
17 civility and respect, and refuse to tolerate bullying,
18 cyberbullying, and harassment; now, therefore,

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20 BE IT RESOLVED by the Senate of the Twenty-sixth
21 Legislature of the State of Hawaii, Regular Session of 2012, the
22 House of Representatives concurring, that the Board of Education
23 is requested to maintain, monitor, and enforce anti-bullying,
24 anti-cyberbullying, and anti-harassment policies and procedures
25 to protect public and charter school students; and

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27 BE IT FURTHER RESOLVED that the Board of Education is
28 requested to ensure that all anti-bullying, anti-cyberbullying,
29 and anti-harassment policies apply to:
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- 1 (1) Conduct occurring on all public and charter elementary
2 and secondary school premises, at all public school-
3 sponsored functions or activities, at all charter
4 school-sponsored functions or activities, on public
5 school-sponsored transportation, and on charter
6 school-sponsored transportation; and
7
- 8 (2) Electronic technology usage and electronic
9 communications that occur on all public and charter
10 elementary and secondary school premises; at all
11 public school-sponsored functions or activities; at
12 all charter school-sponsored functions or activities;
13 on public school-sponsored transportation; on charter
14 school-sponsored transportation; on public school
15 computers, networks, forums, and mailing lists; and on
16 charter school computers, networks, forums, and
17 mailing lists; and
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19 BE IT FURTHER RESOLVED that the Board of Education is
20 requested to require the Department of Education and all charter
21 schools to:

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- 23 (1) Effectively publicize the Board's anti-bullying, anti-
24 cyberbullying, and anti-harassment policies and
25 procedures including adding a statement of those
26 policies and procedures to new employee training
27 materials, student handbooks, and any other
28 publication that sets forth comprehensive rules,
29 procedures, and standards of conduct;
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- 31 (2) Conduct annual training at the school level on how to
32 promote peace and respect, and intervention strategies
33 when students are engaged in bullying, cyberbullying,
34 or harassing behavior;
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- 36 (3) Establish procedures for investigating violations of
37 the anti-bullying, anti-cyberbullying, and anti-
38 harassment policies;
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- 40 (4) Establish reporting and response mechanisms that
41 address the failure of schools and administrators in
42 implementing the anti-bullying, anti-cyberbullying,
43 and anti-harassment policies and procedures;
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- 1 (5) Establish mechanisms for reporting incidents of
2 bullying, cyberbullying, and harassment;
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- 4 (6) Make available to the public statewide statistics
5 concerning bullying, cyberbullying, and harassment;
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- 7 (7) Incorporate into the anti-bullying, anti-
8 cyberbullying, and anti-harassment policies and
9 procedures the filing of complaints against schools
10 upon their failure to comply with or implement the
11 anti-bullying, anti-cyberbullying, and anti-harassment
12 policies;
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- 14 (8) Establish clear lines of accountability, including
15 designating one person in the Department of Education
16 and one person at each charter school as the primary
17 contact regarding anti-bullying, anti-cyberbullying,
18 and anti-harassment policies and procedures to receive
19 copies of all formal and informal complaints, be
20 responsible for assuring the implementation of the
21 policies and procedures, and serve as the primary
22 contact on the policies and procedures;
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- 24 (9) Require school employees and trained volunteers who
25 witness incidents of bullying, cyberbullying, or
26 harassment, or possess reliable information that would
27 lead a reasonable person to suspect that a person is a
28 target of bullying, cyberbullying, or harassment, to
29 promptly report those incidents or that information to
30 the school principal, complex area superintendent,
31 Superintendent of Education, or Executive Director of
32 the Charter School Administrative Office, as
33 appropriate;
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- 35 (10) Promptly investigate reports or complaints of
36 bullying, cyberbullying, or harassment, and identify
37 the person responsible for conducting the
38 investigation;
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- 40 (11) Delineate the range of ways in which schools will
41 respond once an incident of bullying, cyberbullying,
42 or harassment is identified, including a range of
43 potential age-appropriate education-focused



consequences that correspond to the prohibited bullying, cyberbullying, and harassment act;

(12) Provide appropriate referrals or resources to student victims, perpetrators, and their respective families, if necessary;

(13) Prohibit reprisal or retaliation against any person who reports an act of bullying, cyberbullying, or harassment and describe appropriate remedial action for a person who engages in reprisal or retaliation;

(14) Allow for anonymous reporting; provided that no remedial action shall be undertaken solely on the basis of an anonymous report;

(15) Collect, report, and analyze, at least on an annual basis, data on incidents of bullying, cyberbullying, and harassment; and

(16) Establish a school community culture that integrates the Aloha spirit, as defined in section 5-7.5, Hawaii Revised Statutes, evidence-based anti-bullying, anti-cyberbullying, and anti-harassment policies and procedures, and peace promoting elements into each school's curriculum, and creates and encourages an environment of safety and respect for all; and

BE IT FURTHER RESOLVED that the Board of Education report to the Legislature on the status of its anti-bullying, anti-cyberbullying, and anti-harassment policies for public and charter schools, along with any findings and recommendations, including any proposed legislation, no later than twenty days prior to the convening of the Regular Session of 2013; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Chairperson of the Board of Education, Superintendent of Education, Chairperson of the Charter School Review Panel, and Executive Director of the Charter School Administrative Office.

OFFERED BY: Michelle Tidani

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