

# SCR104

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.

## EDU

**Date:** 03/23/2012

**Committee:** Senate Education

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Resolution:** SCR 104 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

**Purpose of Resolution:** Requests 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.

**Department's Position:**

The Department expresses its continued support of the fundamental principles and intent of SCR 104 that protect the right of every student to participate fully in the education process, free from bullying, cyberbullying, and harassment.

To that end, the Hawaii Administrative Rules (HAR), Chapter 19, provides a definition of bullying, cyberbullying, and harassment and defines the authority and guidance for school officials in meting attendant disciplinary actions. The Department's electronic Comprehensive Student Support System (eCSSS) makes available real-time data for tracking, monitoring, and reporting of HAR, Chapter 19 incidents. Using this data, all schools follow a common set of practices, including but not limited to regular School Safety Committee meetings that inform appropriate systemic and individual student supports for prevention and early intervention.

The Department is currently enhancing its Comprehensive Student Support System (CSSS) framework with the inclusion of a Peaceful Schools component. Recognizing the value of proactive approaches to the issues addressed within SCR 104, the Peaceful Schools initiative is designed to attend to the prevention of acts of violence in educational settings.

Additional detailed comments on pertinent sections of the Resolution are attached for your information, we have also attached the current draft version (January 2012) of Peaceful Schools initiative describing the continuum of proactive students supports for early intervention and prevention.

Comments for Testimony to SCR 104

Requesting The BOE and 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) Conduct occurring on all public and charter elementary and secondary school premises, at all public school-sponsored functions or activities, at all charter school-sponsored functions or activities, on public school-sponsored transportation, and on charter school-sponsored transportation; and

*Comments: Offenses for bullying, cyberbullying, and harassment occurring on school campus, or other department of education premises, on department of education transportation, or during a department of education sponsored activity or event on or off school property currently cited in the Department's Hawaii Administrative Rules Title 8 Chapter 19 Student Misconduct, Discipline, School Searches and Seizures, Reporting Offenses, Police Interviews and Arrests, and Restitution for Vandalism.*

- (2) Electronic technology usage and electronic communications that occur on all public and charter elementary and secondary school premises; at all public school-sponsored functions or activities; at all charter school-sponsored functions or activities; on public school-sponsored transportation; on charter school-sponsored transportation; on public school computers, networks, forums, and mailing lists; and on charter school computers, networks, forums, and mailing lists; and

*Comments: Offenses for cyberbullying occurring on school campus, or other department of education premises, on department of education transportation, or during a department of education sponsored activity or event on or off school property currently cited in the Department's Hawaii Administrative Rules (HAR) Title 8 Chapter 19 Student Misconduct, Discipline, School Searches and Seizures, Reporting Offenses, Police Interviews and Arrests, and Restitution for Vandalism.*

**BE IT FURTHER RESOLVED** that the Board of Education is requested to require the Department of Education and all charter schools to:

- (1) Effectively publicize the Board's anti-bullying, anti-cyberbullying, and anti-harassment policies and procedures including adding a statement of those policies and procedures to new employee training materials, student handbooks, and any other publication that sets forth comprehensive rules, procedures, and standards of conduct;

*Comments: Training and communication of BOE Policy 4211 Anti-Harassment, Anti-Bullying, and Anti-Discrimination Against Student(s) by Employees and HAR Chapter 19 policies and procedures are conducted annually by complex and/or school administrators.*

- (2) Conduct annual training at the school level on how to promote peace and respect, and intervention strategies when students are engaged in bullying, cyberbullying, or harassing behavior;

*Comments: Schools will be required to conduct annual training on the prevention and intervention aspects of bullying, cyberbullying and harassment with the implementation of the Department's Peaceful School's initiative.*

Comments for Testimony to SCR 104

Requesting The BOE and 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.

- (3) Establish procedures for investigating violations of the anti-bullying, anti-cyberbullying, and anti-harassment policies;

*Comments: The procedures for investigating violations of bullying, cyberbullying and harassment are currently addressed in HAR Chapter 19.*

- (4) Establish reporting and response mechanisms that address the failure of schools and administrators in implementing the anti-bullying, anti-cyberbullying, and anti-harassment policies and procedures;

*Comments: The failure to report bullying, cyberbullying and harassment offenses by any teacher, official or other employee of the department is defined by HAR Chapter 19 in Subchapter 5 Reporting Offenses.*

- (5) Establish mechanisms for reporting incidents of bullying, cyberbullying, and harassment;

*Comments: The reporting mechanism for student incidents of bullying, cyberbullying and harassment are defined by HAR Chapter 19 and for adults against students by BOE Policy 4211.*

- (6) Make available to the public statewide statistics concerning bullying, cyberbullying, and harassment;

*Comments: The reporting of statistics is through the BOE's protocol.*

- (7) Incorporate into the anti-bullying, anti-cyberbullying, and anti-harassment policies and procedures the filing of complaints against schools upon their failure to comply with or implement the anti-bullying, anti-cyberbullying, and anti-harassment policies;

*Comments: A "Civil Rights Harassment Complaint Procedures for Student(s) Complaint Against Other Student(s) form is issued annually to all students along with a copy of the HAR chapter 19. The student, parent or legal guardian, or staff on his/her behalf or school administrator may file a complaint on the Civil Rights Complaint form.*

- (8) Establish clear lines of accountability, including designating one person in the Department of Education and one person at each charter school as the primary contact regarding anti-bullying, anti-cyberbullying, and anti-harassment policies and procedures to receive copies of all formal and informal complaints, be responsible for assuring the implementation of the policies and procedures, and serve as the primary contact on the policies and procedures;

*Comments: The person of primary contact regarding anti-bullying, anti-cyberbullying, and anti-harassment policies and procedures to receive copies of all formal and informal complaints, is the school administrator.*

Comments for Testimony to SCR 104

Requesting The BOE and 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.

- (9) Require school employees and trained volunteers who witness incidents of bullying, cyberbullying, or harassment, or possess reliable information that would lead a reasonable person to suspect that a person is a target of bullying, cyberbullying, or harassment, to promptly report those incidents or that information to the school principal, complex area superintendent, Superintendent of Education, or Executive Director of the Charter School Administrative Office, as appropriate;

*Comments: The procedures for the foregoing is outlined by HAR Chapter 19.*

- (10) Promptly investigate reports or complaints of bullying, cyberbullying, or harassment, and identify the person responsible for conducting the investigation;

*Comments: The procedures for the foregoing is outlined by HAR Chapter 19.*

- (11) Delineate the range of ways in which schools will respond once an incident of bullying, cyberbullying, or harassment is identified, including a range of potential age-appropriate education-focused consequences that correspond to the prohibited bullying, cyberbullying, and harassment act;

*Comments: The procedures for the foregoing is outlined by HAR Chapter 19 and are also based on the guiding principles of the Comprehensive Student Support System & Schoolwide Positive Behavioral Interventions and Supports.*

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

*Comments: The procedures for the foregoing based on the guiding principles of the Comprehensive Student Support System & Schoolwide Positive Behavioral Interventions and Supports.*

- (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;

*Comments: The procedures for the foregoing are under the jurisdiction of complex area superintendents and schools.*

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

*Comments: The procedures for the foregoing are under the jurisdiction school administrators to establish it as part of their Peaceful Schools initiative.*

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

*Comments: The procedures for the foregoing are under the jurisdiction of school administrators as part of their implementation of Schoolwide Positive Behavioral Interventions and Supports.*

Comments for Testimony to SCR 104

Requesting The BOE and 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.

- (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;

*Comments: The procedures for the foregoing are under the jurisdiction of school administrators as part of their implementation of Peaceful Schools initiative.*

## **“Peaceful Schools”**

January 2012

### **Introduction**

The mission of the Hawaii Department of Education (HIDOE) is to ensure that all our children exemplify the characteristics of responsibility, respect, and compassion to be college and/or career ready to meet the challenges of the 21<sup>st</sup> century.

In these challenging times, it becomes increasingly significant that we focus on the safety and well-being of our students as foundational to achieving academic and social success.

The following is the department’s implementation plan to address bullying, harassment, and discrimination via a comprehensive, cohesive, proactive, and integrated approach.

“Peaceful Schools” is part of the HIDOE’s Comprehensive Student System that embraces and provides a positive and nurturing environment for all students that ensures academic, social, emotional, and physical growth through a continuum of integrated supports, programs, and services.

### **Department Initiatives**

This implementation plan supports HIDOE’s initiatives, rules, and policies:

#### **Department of Education (DOE) Strategic Plan 2011-2018**

- ☒ Goal 1 – Assure all students graduate college- and career-ready through effective use of standards-based education
  - Improve school systems through use of Longitudinal Data Systems dashboards
  - Use high-quality standards, curriculum, and materials
- ☒ Goal 2 – Ensure and sustain a rich environment and culture for life-long learners
  - Increase personalization with appropriate and timely supports
  - Ensure quality professional development, including PDE3
- ☒ Goal 3 – Continuously improve the effectiveness, efficiency, and responsiveness of the educational system
  - Use effective external and internal communication
  - Standardize practices based on data and research

### **Race-to-the-Top Assurances**

- **Section B: Standards and Assessment (Student Support)**
  - Continuum of Proactive Student Supports for Early Intervention & Prevention
    - Addressing “bullying” is part of a continuum of school safety and all schools are responsible to assess and provide appropriate and timely supports for student bullies, victims, bystanders, and their families.



## **“Peaceful Schools”**

January 2012

### **Hawaii Administrative Rules (HAR), Title 8, Chapter 19 (Amended September 20, 2010)**

- All schools are required by the provisions of HAR Chapter 19 to:
  - ensure that every student learns in safe, caring, nurturing and orderly teaching and learning environments;
  - establish a proactive schoolwide student behavior support system as a prerequisite to HAR Chapter 19;
  - identify, investigate, and report all student incidents of bullying, cyberbullying, and/or harassment;
  - notify parents and legal guardians of the investigation findings;
  - provide appropriate interventions to teach appropriate behaviors when disciplinary actions are imposed, and
  - inform their employees annually that any teacher, official, or other employee of the department who is witness to a class A or class B offense as defined in this chapter or who has reasonable cause to believe that a class A or class B offense has been committed or will be committed, against a student, teacher, official or other employee of the department, or involving school property, shall promptly report the incident to the principal or designee.

### **Board of Education Policy 2109 Character Education**

- All schools are required to implement effective character education through the moral leadership of school administrators, staff, students, parents, and community members working together as partners by integrating it into:
  - the curriculum at each grade level and
  - the entire school culture and every classroom.

### **Board of Education Policy 2203 Comprehensive Student Support System**

- The Department shall provide a comprehensive student support system framework to support the implementation, with fidelity, of:
  - (1) Effective standards-based instruction for all students;
  - (2) Appropriate student support through an array of services;
  - (3) Involvement of families and community stakeholders as partners in the education process;
  - (4) Management of decision-making driven by ongoing assessment of student progress; and
  - (5) An effective single all-student database.

## **“Peaceful Schools”**

January 2012

### **Board of Education Policy 4211 Anti-Bullying, Anti-Harassment, Anti-Discrimination against Students by Employees**

- Discrimination including harassment by an employee against a student based on race, color, national origin, sex, physical or mental disability, and/or religion is strictly prohibited.

### **Board of Education Policy 4010 Student Code of Conduct**

- **Respect for Self and Others**  
Students are expected to be honest, behave with dignity and treat others with respect and courtesy. Behavior of the individual should not interfere with the rights of others. This includes the use of appropriate language, actions and attire. Students are expected not to harass others verbally and physically. Students are expected to come to school free from the influence of tobacco products, alcohol or drugs. Students are expected not to use or possess such substances.

### **Implementation Plan Description**

#### **Basic Premises**

- No form of bullying, cyberbullying and/or harassment will be tolerated.
- Every student has the right to learn in bully-free learning environments.
- Every student is respected, honored, and valued for his/her unique individuality.
- Every occurrence of bullying, ranging from teasing/taunting to physical violence, no matter how insignificant it appears is addressed and taken seriously as these behaviors have life-long negative impacts.
- School administrators, teachers, staff, students, families, and the school community have shared responsibility in addressing the issues of bullying, cyberbullying and/or harassment.

#### **Purpose and Function**

This plan outlines the requirements for all schools to follow in preventing, identifying, reporting, and responding to bullying, cyberbullying, and/or harassment behaviors of all students in Hawaii’s public schools.

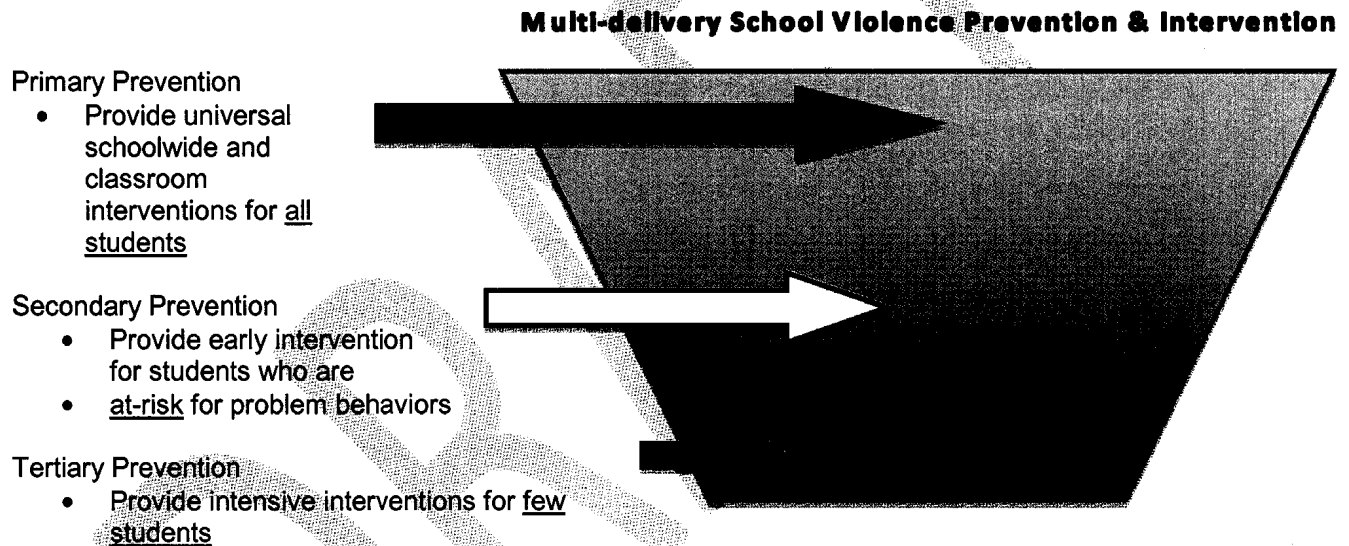
## “Peaceful Schools”

January 2012

It includes a philosophical premise, operational guidelines, and the framework for schools to use in developing and implementing a school anti-bullying action plan. The implementation of this school’s plan is a key component of the continuum of proactive student supports for early intervention and prevention.

### Research-based School Violence Prevention and Intervention Systems

The following describes a research-based school violence prevention procedure that aligns with the response to intervention model and the guiding principles of positive behavioral interventions and supports.



Hawaii Department of Education  
 Comprehensive Student Support System  
 Continuum of Proactive Student Supports for Early Intervention & Prevention

## “Peaceful Schools”

January 2012

### 1.0 Sustaining a Schoolwide Proactive Student Behavior Support System

	Desired Results	Deliverables	Timeline	
			Material Development Start/End	Implementation Date
1.1	Leadership updated on PBIS framework as a component of CSSS’s Continuum of Proactive Student Support and its relationship to the Strategic Plan.	Presentation to Leadership	January 2012 June 2012	August 2012
1.2	All schools conduct data analysis of current schoolwide student behavior status.	Schoolwide & student behavior data analysis & procedures worksheets  PBIS Innovation configuration map  School student behavior report & profile	January 2012 June 2012	August 2012
1.3	All schools implement a schoolwide positive behavioral intervention & support (PBIS) system to address student behaviors.	Schoolwide student behavior support system profile  Schoolwide behavioral expectations matrix	January 2012 June 2012	August 2012
1.4	All schools integrate social and emotional learning into core curriculum and other federal/state/complex initiatives.			
1.5	All school complexes establish a cadre of trainer and coaches to monitor and sustain schoolwide proactive student behavior support system.	Training of complex coaches & team facilitators  Coaches self-appraisal checklist	January 2012 June 2012	August 2012

Hawaii Department of Education  
 Comprehensive Student Support System  
 Continuum of Proactive Student Supports for Early Intervention & Prevention

**“Peaceful Schools”**  
 January 2012

**2.0 Enhancing Communication**

	Desired Results	Deliverables	Timeline	
			Material Development Start/End	Implementation Date
2.1	Parents and school community informed about prevention & intervention strategies, resources, & procedures of what do to if their child is bullied and/or harassed.	Website posting of prevention & intervention strategies, resources, & procedures of what do to if bullied for parents	January 2012 June 2012	August 2012
2.2	All school employees annually view the video “Schools of Compassion, Dignity and Respect”.	HIDOE School and Student Safety DVD with key messages of: <ul style="list-style-type: none"> <li>• A positive school climate is foundation to learning and growth.</li> <li>• A positive school climate cultivates a strong sense of belonging, respectful relationships, and trust.</li> <li>• Bullying is not tolerated and is addressed immediately and responsibly.</li> <li>• School administrators, teachers, staff, students, families, and the school’s community all share in the responsibility.</li> </ul>	April 2011 October 2011	January 2012
2.3	Students/school communities/complexes produce prevention and & interventions messages about bullying, cyberbullying, harassment.	Student and/or school community created public service announcements, videos, training materials	August 2012 June 2013	SY 2012-13

Hawaii Department of Education  
 Comprehensive Student Support System  
 Continuum of Proactive Student Supports for Early Intervention & Prevention

**“Peaceful Schools”**

January 2012

**3.0 Improving School Climate**

	Desired Results	Deliverables	Timeline	
			Material Development Start/End	Implementation Date
3.1	All school principals and vice principals will attend the Byrne Justice Assistance Grant on Improving School Community Climate	Complex scheduled principals & vice principals meetings	July 2011 August 2011	September 2011
3.2	All schools conduct annual assessments of their school culture including individual classroom and the school community climate.	School climate assessment and data analysis profile	January 2012 June 2012	August 2012

**4.0 Promoting Prevention**

	Desired Results	Deliverables	Timeline	
			Material Development Start/End	Implementation Date
4.2	All schools conduct annual training on the prevention, reporting, and response to bullying for students, teachers and staff, families, and school community.	Bullying Toolkit with training modules and resource information	January 2012 June 2012	August 2012
4.3	Schools implement research-based bullying initiative	Listing of researched-based best practices	January 2012 June 2012	August 2012
4.1	All school administrators complete professional development series on preventing, identifying, investigating, reporting, and responding to bullying annually.	School administrator training modules  School administrator self-appraisal instruments on Bullying Prevention, Intervention and Procedures	January 2012 June 2012	August 2012
4.4	All schools submit annual Safe Schools Report	Annual Complex & State Safe Schools Report	January 2012 June 2012	June 2013

Hawaii Department of Education  
 Comprehensive Student Support System  
 Continuum of Proactive Student Supports for Early Intervention & Prevention

**“Peaceful Schools”**

January 2012

**5.0 Engaging School Community and Families**

	Desired Result	Deliverable	Timeline	
			Material Development Start/End	Implementation Date
5.1	All schools develop working partnerships with community resources/agencies to address school community safety & well-being and bullying/harassment concerns/issues.	School year master schedule of school community listing of safety & well-being and anti-bullying activities/events	August 2012 June 2013	SY 2013-14

**DRAFT**

# HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 702 Honolulu, Hawaii 96813

Phone: (808) 531-2198 Fax: (808) 534-1199

Web site: <http://www.hysn.org> E-mail: [info@hysn.org](mailto:info@hysn.org)

Daryl Selman, President  
Judith F. Clark, Executive Director  
Aloha House  
American Civil Liberties Union of Hawaii  
Assistive Technology Resource Ctrs. of HI  
Bay Clinic, Inc.  
Big Brothers Big Sisters of Honolulu  
Big Island Substance Abuse Council  
Blueprint for Change  
Bobby Benson Center  
Catholic Charities Hawaii  
Central Oahu Youth Services Assn.  
Child and Family Service  
Coalition for a Drug Free Hawaii  
Domestic Violence Action Center  
EPIC, Inc.  
Family Support Hawaii  
Friends of the Missing Child Center of HI  
Hale Kipa, Inc.  
Hale 'Opio Kauai, Inc.  
Hawaii Behavioral Health  
Hawaii Student Television  
Healthy Mothers Healthy Babies Coalition  
Hina Mauka Teen Care  
Hui Malama Learning Center  
Kahi Mohala Behavioral Health  
Kama'aina Kids, Inc.  
KEY (Kualoa-Heeia Ecumenical Youth) Project  
Kids Behavioral Health  
Kids Hurt Too  
Kokua Kalihi Valley  
Kula No Na Poe Hawaii  
Lanai Community Health Center  
Life Foundation  
Marimed Foundation  
The Maui Farm, Inc.  
Maui Youth and Family Services  
Palama Settlement  
P.A.R.E.N.T.S., Inc.  
Parents and Children Together (PACT)  
Planned Parenthood of Hawaii  
Queen Liliuokalani Children's Center  
- Kona Unit  
REAL  
Salvation Army Family Intervention Svcs.  
Salvation Army Family Treatment Svcs.  
Sex Abuse Treatment Center  
Susannah Wesley Community Center  
The Catalyst Group  
The Children's Alliance of Hawaii  
Waikiki Health Center  
Women Helping Women  
YouthVision  
YWCA of Kauai

March 19, 2012

To: Senator Jill Tokuda, Chair  
And members of the Committee on Education

**TESTIMONY SUPPORTING SCR 78 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**

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports SCR 78 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

At the 2011 Children and Youth Summit, bullying was the top priority for legislative action identified by the 125 participating youth and youth advocates. It received nearly 3 times as many votes as the second priority issue. Cyberbullying was identified as one of several forms of bullying that need to be addressed.

This resolution takes a multi-faceted approach that emphasizes creating a school climate that encourages safety and respect; provides training for school personnel; establishes reporting and response mechanisms; and provides for data collection and public reporting on bullying incidents.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH  
Executive Director





Committee: Committee on Education  
Hearing Date/Time: Friday, March 23, 2012, 1:15 p.m.  
Place: Conference Room 225  
Re: Testimony of the ACLU of Hawaii in Support of S.C.R. 104

Dear Chair Tokuda and Members of the Committee on Education:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of S.C.R. 104. The ACLU and the ACLU of Hawaii have a long history of vigorously promoting nondiscrimination and respect for the civil rights of children in public education. We are at the forefront of efforts, through both impact litigation and legislative and executive branch work, to ensure that students, in particular children of color, girls, children with disabilities, those with limited English proficiency, and LGBT youth, do not suffer from current discrimination or its legacy. We have consistently fought for an educational system that encourages every student to succeed in school. Moreover, the ACLU of Hawaii strongly supports the adoption comprehensive education policies and procedures designed to educate students and parents about the consequences of bullying and to eradicate discrimination.

We appreciate that S.C.R. 104 attempts to limit its request to bullying or cyberbullying that occurs on school property, at school functions or activities and/or uses school equipment. Please note, however, that “school functions” may need to be defined so as to ensure that schools are not policing the speech of children outside of school and therefore outside of their authority. As the United States Supreme Court stated forty years ago, “School officials do not possess absolute authority over their students.”<sup>1</sup> The Court explained further:

Students in school as well as out of school are ‘persons’ under our Constitution. They are possessed of fundamental rights which the State must respect, just as they themselves must respect their obligations to the State. In our system, students may not be regarded as closed-circuit recipients of only that which the State chooses to communicate. They may not be confined to the expression of those sentiments that are officially approved.<sup>2</sup>

---

<sup>1</sup> *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 511 (1969).

<sup>2</sup> *Id.*

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawaii'i 96801  
T: 808.522-5900  
F: 808.522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)

Chair Tokuda and Members of the  
Committee on Education  
March 23, 2012  
Page 2 of 2

Legislators are understandably concerned about harassment and threats that occur outside of school. However, speech that is threatening or harassing is not protected under the First Amendment and is already prohibited under Hawaii law. If a student threatens someone outside of school, the student can be arrested and prosecuted (just as any other person could be arrested and prosecuted for threatening speech). The DOE has no authority to regulate out-of-school speech any further, because doing so would infringe on the First Amendment rights of students (as well as on the constitutional rights of the child's parents to raise her or his child free from government interference). Disciplining a child for out-of-school conduct is a task reserved for the child's parents or guardians (or law enforcement if appropriate). This authority should not – and constitutionally cannot – be delegated to the DOE.

While the ACLU of Hawaii supports the portions of S.C.R. 104 that direct the DOE to develop and implement policies concerning bullying and cyberbullying and that the DOE report to the Legislature annually, we also have concerns about individual privacy. Much of the information collected at the school level is personally identifiable, extremely sensitive, and deserves the highest possible protection. In order to protect that information, the DOE must ensure that the highest possible privacy standards are maintained. Personal information that is linked to individual students must only be collected and used for limited, predetermined purposes and students must have notice about the information collection. The protections are vital to ensuring that personal information on students is not handled inappropriately or leaked to the public. The ACLU of Hawaii is committed to working with the DOE to ensure that proper controls are put into place.

The ACLU of Hawaii's mission is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,  
Laurie A. Temple  
Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawaii 96801  
T: 808.522-5900  
F: 808.522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Legislative Director

---

**TESTIMONY FOR SENATE CONCURRENT RESOLUTION 104, RELATING TO  
BULLYING**

**Senate Committee on Education  
Hon. Jill N. Tokuda, Chair  
Hon. Michelle N. Kidani, Vice Chair**

**Friday, March 23, 2012, 1:15 PM  
State Capitol, Conference Room 225**

Honorable Chair Tokuda and committee members:

I am Kris Coffield, representing the IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 150 local members. On behalf of our members, we offer this testimony in support of, with proposed amendments for SCR 104, relating to bullying.

During the 2011 legislative session, lawmakers, through no fault of their own, passed a watered-down version of the “Safe Schools Act,” which required the Board of Education to monitor the Department of Education’s compliance with anti-bullying regulations and establish corresponding reporting requirements. More needs to be done, however, to combat bullying in our schools, especially bullying assisted by technology, or “cyberbullying.”

Recent research shows that over 50 percent of Hawaii teenagers report having been subjected to cyberbullying, either over the Internet or through cellular devices. Luckily, Hawaii has yet to experience a high profile “bullicide”—suicide resulting from bullying—related to cyberbullying, like the heartbreaking passing of Missouri teen Megan Meier, in 2006, or Massachusetts high school student Phoebe Prince, in 2010, both of which resulted from prolonged online harassment. Hawaii *has* suffered its fair share of incidents, however, including the case of Damien Memorial School coach Doug Andrade, in 2010, whereby Andrade discovered that one of the school’s male cheerleaders was being bullied on Facebook, then used his daughter’s account to sling a string of verbal barbs at the alleged perpetrators of the harassment. Clearly, social networking platforms will continue to grow more sophisticated over the coming years, and something must be done to curtail the usurpation of online media for nefarious purposes before tragedy occurs.

That said, we encourage your committee to amend subsection (9) of the second operative clause of this resolution to read: “Require school employees and trained volunteers who witness incidents of bullying, cyberbullying, or harassment, or possess ~~reliable~~ information ~~that would lead a reasonable person to suspect~~ that a person is a target of bullying, cyberbullying, or harassment, to promptly report those incidents or that information to the school principal or principal's designee, complex area superintendent, Superintendent of Education, or Executive Director of the Charter School Administrative Office, as appropriate.” Eliminating the vague and unnecessary qualifiers currently contained in this provision—“reliable,” “reasonable,” and “suspect”—prevents confusion about what constitutes reliable information and the standard for initiation of an investigation. Since reliability and reasonability are inherently subjective, we feel that any and all information pertaining to bullying should be reported to school administrators (we are all aware of incidents in which an investigation regarding a serious matter wasn't launched because information was deemed unreliable when first received). Moreover, principals are, to put it mildly, busy people, who are only going to become more occupied with their likely role in performing annual evaluations of teachers. They are often off-campus or otherwise unavailable to their staff members, owing to professional demands. Adding “principal's designee” to the list of individuals who may receive a report of bullying seems logical, then, to ensure the proper facilitation of information at the local school level, where pressing problems can be addressed with immediacy.

Mahalo for the opportunity to testify in support of this resolution.

Sincerely,  
Kris Coffield  
*Legislative Director*  
IMUAlliance

## Board of Directors

Mary Pat Waterhouse, *President*  
John Zabriskie, *Treasurer*  
Katherine Watanabe Bennett, J.D.,  
M.S.W., *Secretary*  
Chad Koyanagi, M.D., *Vice-  
President, Policy*  
Kathleen Delahanty, *Vice-President,  
Program*  
Hon. Sandra Simms, *Vice-President,  
Development*  
Pualani Kamaunu Basbas, *Vice-  
President, Maui*  
Jean Adair-Leland, Ph.D.  
Chuck Freedman  
Ken Hipp  
Linda Krieger  
Elizabeth Naholowa`a Murph  
Steve Nagata, J.D.  
Deane Neubauer, Ph.D.  
Michael O'Malley, J.D.  
Linda Takai, M.S.Ed.  
Scott Wall, Hawai'i Certified Peer  
Specialist

## Staff

Marya Grambs, *Executive Director*  
Colleen Wallace, *Maui County  
Branch Director*  
Antonia Alvarez, M.S.W, *Youth  
Suicide & Bullying Prevention  
Director*  
Braddoc DeCaires, *Operations  
Manager*



*...Helping Hawai'i Live Life Well*

1124 Fort Street Mall, Suite 205, Honolulu, HI 96813-2715  
Accessible Entrance: 67 South Pauahi off Bethel Ph. 808.521.1846  
F: 808.533.6995 E: [info@mentalhealth-hi.org](mailto:info@mentalhealth-hi.org) W: [www.mentalhealth-hi.org](http://www.mentalhealth-hi.org)

TESTIMONY IN STRONG SUPPORT OF S.C.R. No. 104

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.

HEARING: March 23, 2012

Senate Education Committee, chaired by Senator Jill Tokuda

Aloha and mahalo for hearing the Senate Concurrent Resolution (SCR) 104, which requests the maintenance, monitoring, and enforcement of anti-bullying and cyber-bullying policies and procedures in Hawai'i's public and charter schools.

As the Director of the Stop Youth Suicide and Bullying Project at Mental Health America of Hawai'i, I know all too well that bullying and cyberbullying in our schools are major issues for the keiki in our communities. I have heard stories from children, teens, and families all around the state describing concerns they have with the lack of monitoring of bullying incidents, inconsistency of anti-bullying procedures, and a lack of training among staff and administration.

I am aware of anti-bullying and anti-cyber-bullying legislation in previous sessions, and I am hopeful that this resolution will prove to be more effective in partnering with the Department of Education and the Board of Education to create the changes in our schools that we so desperately need.

- Students in Hawai'i who were victims of cyberbullying were 2 times as likely to report depression, 2.5 times more likely to binge drink or smoke marijuana, and more than 3 times more likely to attempt suicide. (Goebert et al, 2010)
- 26% of elementary school students report hearing other students use terms like "fag" or "lesbo." (GLSEN & Harris Interactive, 2012)
- 26% of students reported hearing peers say bad or mean things about people because of their race or ethnic background at least sometimes. (GLSEN & Harris Interactive, 2012)

- Children with Disabilities were 2 to 3 times more likely to be victims of bullying than their able-bodied peers. (Wall, Wheaton & Zuver, 2009)
- 41% of children with lesbian parents faced teasing or discrimination because of others' perceptions of their families. (Gartrell & Boss, 2010)
- Students who experience acceptance at school are more highly motivated, engaged in learning and committed to school. (Osterman, 2000)

There are a number of community-based organizations and several in-school groups that are working hard on anti-bullying campaigns that promote peace and respect and offer safe, realistic interventions for youth and adults to take when they witness bullying incidents. I personally have had the privilege of training more than 8,500 youth and adults in bullying and suicide prevention skills since 2008, and I have conducted each training at no cost to the school or community organization.

Last year I worked closely with Farrington's T-Shirt Theatre production of "BULLY, TOO", watched several anti-bullying Public Service Announcements created by students from Waianae, Waipahu, Kamehameha Schools, and the Kaua`i YWCA, and participated in anti-bullying trainings organized by the Department of Health, the Hawai`i Youth Services Network, and several National organizations. All over the state, youth and adults are partnering together to lessen the very high rates of bullying and cyberbullying in our schools, and we are committed to supporting the Department of Education and the Board of Education as they facilitate this process.

Passing this SCR 104 will help the DOE and the BOE to hear the URGENCY and COMMITMENT that we community members, youth, and youth service providers feel in the anti-bullying, anti-cyberbullying movement. Please consider this a state-wide step towards peace in our schools.

Mahalo nui loa,

Antonia Alvarez, LMSW  
Director of the STOP Youth Suicide and Bullying Project  
Mental Health America of Hawai`i  
1124 Fort Street Mall #205  
Honolulu, HI 96813  
(808) 521-1846  
antonia@mentalhealth-hi.org

# EQUALITY HAWAII

Friday, March 23, 2012 • 1:15 p.m. • Conference Room 225  
Testifying in Support of SCR104 On Behalf of Equality Hawaii

Aloha, Chair Tokuda, Vice Chair Kidani & Senate Education Committee Members:

Equality Hawaii supports the intent of this resolution.

Bullying is a pervasive problem; it is as pervasive a problem as intolerance.

While children are bullied for their perceived differences, those who target them take their cues from authority - from the very people and institutions in their lives who either encourage or condone such attitudes and behaviors.

Without a shift in culture where concern is validated and enforced through policy, no student, teacher, or administrator can trust that bullying does not create an environment hostile to a student's well-being AND to his or her ability to learn.

In Hawaii, the statistics are startling. According to the most recent Youth Risk Behavior Surveillance System (YRBSS) from the Centers for Disease Control, Hawaii leads the nation in many categories:

- Seriously considered suicide: 18.9 percent (highest in the nation)
- Made a suicide plan: 16 percent (highest in the nation)
- Attempted suicide: 12.8 percent (highest in the nation)
- Felt sad or hopeless: 30.6 percent (third highest in the nation)

For a state that prides itself on diversity and aloha, these numbers should trigger a sense of urgency in all of us to address this issue with our sleeves rolled up. Additionally tragic is that Hawaii is one of only six states in the nation that does not have a state law that addresses bullying.

We hope you pass this resolution as an indication of your care and concern for all our students' safety and education.

Mahalo for allowing us to testify.

Aloha,  
Scott Larimer  
Co-Chair  
Equality Hawaii

Valerie Smith  
Legislative Affairs Committee  
Equality Hawaii

**Erin Conner**

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, March 19, 2012 2:14 PM  
**To:** EDU Testimony  
**Cc:** geckogroup@cs.com  
**Subject:** Testimony for SCR104 on 3/23/2012 1:15:00 PM

Testimony for EDU 3/23/2012 1:15:00 PM SCR104

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Ann Yabusaki  
Organization: Individual  
E-mail: [geckogroup@cs.com](mailto:geckogroup@cs.com)  
Submitted on: 3/19/2012

**Comments:**

As a service provider to youth and families, I support SCR104. Many have encountered bullying in school, over the internet, and in the community, resulting in traumatic experiences that I often address in counseling. Any measure to stop bullying will benefit the community. Thank you.



## Erin Conner

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 22, 2012 11:57 AM  
**To:** EDU Testimony  
**Cc:** rb\_hawaii@yahoo.com  
**Subject:** Testimony for SCR104 on 3/23/2012 1:15:00 PM

Testimony for EDU 3/23/2012 1:15:00 PM SCR104

Conference room: 225  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Bridget Hannu  
Organization: Individual  
E-mail: [rb\\_hawaii@yahoo.com](mailto:rb_hawaii@yahoo.com)  
Submitted on: 3/22/2012

### Comments:

My name is Bridget Hannu and I am a 7th grade teacher at Kapolei Middle School. I believe that all students have the right to learn in an education setting where they feel safe from bullying, cyberbullying, and harassment. If a student is experiencing any of these it is nearly impossible for them to learn. I urge you to support SCR 104 and help all students learn to to their fullest potential. Thank you.

## Erin Conner

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 22, 2012 12:01 PM  
**To:** EDU Testimony  
**Cc:** aloalo47@hotmail.com  
**Subject:** Testimony for SCR104 on 3/23/2012 1:15:00 PM

Testimony for EDU 3/23/2012 1:15:00 PM SCR104

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Sharon L. Smith  
Organization: Individual  
E-mail: [aloalo47@hotmail.com](mailto:aloalo47@hotmail.com)  
Submitted on: 3/22/2012

### Comments:

Students learn best when they know they are safe from anti-social behavior. I believe that every child should be able to come to school without feeling intimidated or bullied by others. Bullying and cyber bullying rob student of their opportunity to learn and leave emotional scars that can last a lifetime. Victims of bullying face increased odds of falling behind their peers academically, missing classes, and eventually dropping out of school. It is our shared responsibility to ensure that every child learns and every teacher work in a secure public school.

Anti-bullying education should start a a young age, and should involve teachers, support professionals, administrators, parents, and students in dialogue about respectful social interaction and ending discrimination. These norms have been codified into two anti-bullying policies by the Board of Education: BOE Policy 4211, for students, and BOE Policy 1110-7, for employees.

Finally, when bullying does occur on campus, we contend that schools, as well as the department, should have someone ready to respond immediately to make sure that harassment doesn't escalate into violence or self-destructive behavior. Our teachers are committed to preventing bullying in their classrooms and providing safe solutions to students who may be targeted by their classmates, so that harassment does not hamper student achievement. We hope that the department will b equally committed to ending bullying against teachers, from no matter whom the harassment originates.

Thank you for the opportunity to testify in support of this resolution.

## Erin Conner

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 22, 2012 12:02 PM  
**To:** EDU Testimony  
**Cc:** kmossman@hawaiiantel.net  
**Subject:** Testimony for SCR104 on 3/23/2012 1:15:00 PM

Testimony for EDU 3/23/2012 1:15:00 PM SCR104

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Karolyn Mossman  
Organization: HSTA  
E-mail: [kmossman@hawaiiantel.net](mailto:kmossman@hawaiiantel.net)  
Submitted on: 3/22/2012

**Comments:**

Bullying is a serious problem at various levels of the schools. Please encourage the BOE to maintain, monitor and enforce policies for anti-bullying, anti-harassment and anti-cyberbullying.

## Erin Conner

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 22, 2012 12:07 PM  
**To:** EDU Testimony  
**Cc:** Ack519@gmail.com  
**Subject:** Testimony for SCR104 on 3/23/2012 1:15:00 PM

Testimony for EDU 3/23/2012 1:15:00 PM SCR104

Conference room: 225  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Anne C.K. Cross  
Organization: Individual  
E-mail: [Ack519@gmail.com](mailto:Ack519@gmail.com)  
Submitted on: 3/22/2012

Comments:  
Chair Tokuda and Members of the Committee:

As a Special Education Teacher at Kea'au Elementary School on the Island of Hawai'i, I strongly support SCR 104. I believe that schools must be a safe environment free from any form of bullying for every child. Especially since many of our students say it is the place they feel the most safe.

In my role as a Special Education Teacher and Care Coordinator for a 5th grade student with autism who was being bullied at times that were less structured and not closely supervised, I taught 5th grade classes a "Bully Blockers" lesson. I asked the entire grade level to sign "Bully Blocker Pledges". The purpose of the lesson was to teach students about Autism and give students the confidence and language to team up against someone who they witness being a bully. After success with the 5th grade I was invited to share my lesson with several Kindergarten classes who were experiencing bullying. I hope to make these lessons a school-wide project and am working with our counseling department to do so. It is great to hear students using the language to stand up for their peers and include those who are typically left out.

Anti-bullying education needs to start at a young age, and should be done school-wide. I would love to see this done state-wide. We have two anti-bullying policies by the Board of Education: BOE Policy 4211, for students, and BOE Policy 1110-7, for employees. These policies need to be maintained, monitored and enforced to protect all public school students.

Thank you for the opportunity to testify in support of this resolution.

**Erin Conner**

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 22, 2012 12:08 PM  
**To:** EDU Testimony  
**Cc:** lkunimit@yahoo.com  
**Subject:** Testimony for SCR104 on 3/23/2012 1:15:00 PM

Testimony for EDU 3/23/2012 1:15:00 PM SCR104

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Lester Kunimits  
Organization: H. P. Baldwin High  
E-mail: [lkunimit@yahoo.com](mailto:lkunimit@yahoo.com)  
Submitted on: 3/22/2012

**Comments:**

I am a teacher and parent. It is important to keep a safe environment with protections in place so that they will be able to realize their full potential.

## Erin Conner

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 22, 2012 12:10 PM  
**To:** EDU Testimony  
**Cc:** mhoy\_9092@hotmail.com  
**Subject:** Testimony for SCR104 on 3/23/2012 1:15:00 PM

Testimony for EDU 3/23/2012 1:15:00 PM SCR104

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Margaret Hoy  
Organization: Individual  
E-mail: [mhoy\\_9092@hotmail.com](mailto:mhoy_9092@hotmail.com)  
Submitted on: 3/22/2012

### Comments:

My Name is Margaret Hoy. I am a teacher at Kohala High School for the past 30 years. In this modern age of technology students are more connected than ever. The access to cyber space is not always for positive interaction. When students come to school they should not be worried about what has been posted on facebook the night before. This kind of bullying leads to students missing school and falling behind and dropping out altogether. There are many ways the BOE and DOE can monitor the internet use that students pick up on their phones at school to make this kind of harassment carryover into the school day.  
Thank you for the opportunity to testify on this issue.

## Erin Conner

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 22, 2012 12:10 PM  
**To:** EDU Testimony  
**Cc:** jrfsanborn@yahoo.com  
**Subject:** Testimony for SCR104 on 3/23/2012 1:15:00 PM

Testimony for EDU 3/23/2012 1:15:00 PM SCR104

Conference room: 225  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: jacqueline sanborn  
Organization: Individual  
E-mail: [jrfsanborn@yahoo.com](mailto:jrfsanborn@yahoo.com)  
Submitted on: 3/22/2012

### Comments:

I support SCR104 because it will help to clarify, strengthen and enforce existing bullying laws and fund anti-bullying education at all grade levels. As a middle school teacher I overhear blatant bullying statements and witness bullying actions in the halls and in my classroom on nearly a daily basis. Cyber-bullying is at an all time high. A stronger and more consistent anti-bullying program is desperately needed at all grade levels.

## Erin Conner

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 22, 2012 12:48 PM  
**To:** EDU Testimony  
**Cc:** jalesna@gmail.com  
**Subject:** Testimony for SCR104 on 3/23/2012 1:15:00 PM

Testimony for EDU 3/23/2012 1:15:00 PM SCR104

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Janice Eala  
Organization: Individual  
E-mail: [jalesna@gmail.com](mailto:jalesna@gmail.com)  
Submitted on: 3/22/2012

**Comments:**

There should be stricter enforcement on anti-bullying especially with cyber-bullying. Laws in the mainland protect victims rights. We should hold bullies more accountable for their actions and words. Thank you for the opportunity to testify in support of this resolution.



Testimony for EDU 3/23/2012 1:15:00 PM SCR104

Conference room: 225  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Nancy Kern  
Organization: Individual  
E-mail: [nkern5@yahoo.com](mailto:nkern5@yahoo.com)  
Submitted on: 3/22/2012

Comments:

Thank you for allowing me to testify in support of SCR104. I work for the Department of Health, but am testifying as a private citizen.

I am a member of DOE's Safe Schools Community Advisory Committee that worked for two years from 2005 – 2007 to develop the document *Recommendations for Addressing Harassment in Hawaii's Public Schools* that was presented to the BOE in 2007. I was appointed by the Director of Health to represent the Department of Health on this Committee.

The recommendations of the DOE's Safe Schools Community Advisory Committee are reflected in SCR104.

According to the US Department of Health and Human Services' website. Hawaii is one of only 6 states that does not have anti-bullying legislation. According to the most recent U.S. CDC-funded survey, 51% of Hawaii's public high school students and 63% of middle school students "strongly agree or agree that harassment and bullying by other students is a problem at their school."

For the reasons stated above, I urge this Committee to pass SCR104

Thank you for your consideration.

Nancy Kern  
DOE Safe Schools Community Advisory Committee

## Erin Conner

---

**From:** Julie [jteruya@earthlink.net]  
**Sent:** Thursday, March 22, 2012 1:53 PM  
**To:** EDU Testimony  
**Subject:** Support for SCR104 and SCR121

Aloha Chair Tokuda, Vice Chair Kidani, and Members of the Committee,

Mahalo to Chair Tokuda, Vice Chair Kidani, Senators Sлом and Taniguchi for introducing SCR104 and SCR121, and to Senator Chun Oakland for introducing SCR104 as well. I support both resolutions.

I am a Special Education Teacher and I teach students who are in junior kindergarten through fourth grade.

I support SCR104. I have seen and heard about students bullying and students who were bullied. There are videos posted on the Internet and students are posting both what happened and when "fights" will happen. Most are off the school campus, but events leading up to the "fight" (teasing, verbal aggression, threats, etc) occur on the school campus. There are school administrations who don't do anything when parents and teachers tell them. One parent decided to pull the child out and homeschool her because administration didn't protect the child while she was in school. One administrator (on Monday) told the mother of a victim that she should keep her child at home "until the situation blows over." (The incident happened at the community park on Saturday and the girl who beat her up also verbally "harassed" teachers and administration put her in a class that she wanted to be in!) At some schools, there are no consequences that prevent students from "the events that lead up to" the aggression so they continue to tease, spread rumors, etc. There needs to be more at the school to protect the victims from the bully. As much as I try to teach the 5R's Program (respect, responsibility, resiliency, relationships, and resourcefulness) and the general learner outcome (GLO) of community contributor and effective communicator, I found that some parents don't enforce them. School is where many children learn (sad to say that some learn more at school than at home) so schools should do their part to try to prevent behavior that could lead to a child that becomes a productive tax paying citizen.

I also support SCR121. I believe that "Act 51" needs to be looked at and parts of it need to be changed. One part that has affected me is that the principal has final say. The teachers wanted a full-time counselor this year, but the temporarily assigned (TA) principal sold half the position to purchase technology. There was nothing that we could do because by the time we "go through the process," the school year would be over. I also support SCR121 because there is a teacher representative in the working group. Teachers need to voice their concerns because decisions are made that affect our job.

Thank you for taking the time to read this and I ask for your support.

Sincerely,  
Julie Teruya  
Special Education Teacher  
Kaneohe

**Erin Conner**

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, March 23, 2012 6:21 AM  
**To:** EDU Testimony  
**Cc:** hsta@eddingsetc.com  
**Subject:** Testimony for SCR104 on 3/23/2012 1:15:00 PM

Testimony for EDU 3/23/2012 1:15:00 PM SCR104

Conference room: 225  
Testifier position:  
Testifier will be present: Yes  
Submitted by: Edward B. Garcia  
Organization: Individual  
E-mail: [hsta@eddingsetc.com](mailto:hsta@eddingsetc.com)  
Submitted on: 3/23/2012

**Comments:**

My name is Edward Garcia a counselor from Maui Waena Intermediate School on Maui testifying in support of SCR 104. I believe that our schools should be from all forms of bullying.

Bullying is a common experience for many children, adolescents, including adults. People who are bullied experience real suffering that can interfere with their social and emotional state.

With this resolution, it is my hope that the department of education and the board of education strengthen and develop policies to end bullying at our schools.

Thank you for the opportunity to testify.