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## A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1           SECTION 1. Chapter 302A, Hawaii Revised Statutes, is  
2 amended by adding a new section to part IV(B) to be  
3 appropriately designated and to read as follows:

4           "§302A- Harassment, intimidation, bullying, or  
5 cyberbullying; reporting. (a) The board shall adopt rules  
6 pursuant to chapter 91 to:

7           (1) Require a teacher, official, or other employee of the  
8 department to report an act of harassment,  
9 intimidation, bullying, or cyberbullying to the  
10 principal of the school at which the victim is a  
11 student;

12           (2) Identify disciplinary actions that may be taken  
13 against any teacher, official, or other employee of  
14 the department for failure to make a report as  
15 required under paragraph (1);

16           (3) Authorize a student to report an act of harassment,  
17 intimidation, bullying or cyberbullying voluntarily  
18 and anonymously to the principal of the school at



1 which the victim is a student; provided that this  
2 paragraph shall not be construed to authorize  
3 disciplinary actions against the student solely on the  
4 basis of an anonymous report;

5 (4) Prohibit reprisal or retaliation against any person  
6 who reports an act of harassment, intimidation,  
7 bullying, or cyberbullying;

8 (5) Establish procedures to dispose of any report of an  
9 act of harassment, intimidation, bullying, or  
10 cyberbullying, including procedures for prompt  
11 investigation;

12 (6) Establish appropriate disciplinary actions to be taken  
13 against a person found to have committed an act of  
14 harassment, intimidation, bullying, or cyberbullying;  
15 and

16 (7) Establish appropriate disciplinary actions to be taken  
17 against any person found to have falsely accused  
18 another of having committed an act of harassment,  
19 intimidation, bullying, or cyberbullying.

20 (b) For the purposes of this section:

21 "Cyberbullying" means the use of any electronic  
22 communication device to harass, intimidate, or bully.



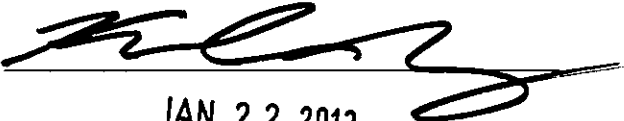
- 1        "Harassment, intimidation, or bullying" means any act that:
- 2        (1) Substantially interferes with a student's educational
- 3        benefits, opportunities, or performance;
- 4        (2) Takes place on or immediately adjacent to school
- 5        grounds, at any school-sponsored activity, on school-
- 6        provided transportation, or at any official school bus
- 7        stop;
- 8        (3) Has the effect of:
- 9        (A) Physically harming a student or damaging a
- 10       student's property;
- 11       (B) Knowingly placing a student in reasonable fear of
- 12       physical harm to the student or damage to the
- 13       student's property; or
- 14       (C) Creating a hostile educational environment,
- 15       including interfering with the psychological
- 16       well-being of a student; and
- 17       (4) May be based on race, color, religion, sex, sexual
- 18       orientation, national origin, marital status, familial
- 19       status, source of income, or disability."

20       SECTION 2. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval.

2

INTRODUCED BY:   
JAN 22 2013



# H.B. NO. 715

**Report Title:**

DOE; Harassment; Intimidation; Bullying; Cyberbullying; Duty to Report

**Description:**

Requires the DOE to adopt rules requiring a teacher, official, or other employee of the department to report an act of harassment, intimidation, or bullying or an act of cyberbullying to the principal of the school at which the victim is a student.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

