
HOUSE CONCURRENT RESOLUTION

REQUESTING THE UNIVERSITY OF HAWAII TO AFFIRM ITS COMMITMENT TO UPHOLDING THE TENETS OF TITLE IX AND THE VIOLENCE AGAINST WOMEN ACT 2013 AND THE UNIVERSITY OF HAWAII'S DEDICATION TO ENDING ALL FORMS OF SEXUAL VIOLENCE ON HAWAII CAMPUSES THROUGH A REPORT ON THE STATUS OF TITLE IX AND VIOLENCE AGAINST WOMEN ACT 2013 POLICIES, PROCEDURES, STAFFING, AND STATISTICS.

1 WHEREAS, Title IX prohibits discrimination on the basis of
2 sex in the administration of any education program receiving
3 federal financial assistance and bans sexual harassment,
4 discrimination against pregnant and parenting students, and the
5 use of stereotypes and other barriers to limit a person's access
6 to a particular educational field; and
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8 WHEREAS, the Violence Against Women Act (VAWA) is aimed at
9 ending violence against women and girls and remedying laws and
10 social practices that, in the past, have fostered and justified
11 violence against women and girls; and
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13 WHEREAS, Title IX protects all people regardless of their
14 gender or gender identity from sexual harassment and violence,
15 which are forms of discrimination; and
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17 WHEREAS, since its inception over 40 years ago, Title IX
18 has been instrumental in increasing educational opportunities
19 for women and girls and fostering equality between men and
20 women; and
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22 WHEREAS, Title IX has made progress in fostering equality
23 between women and men in both educational and workplace
24 settings; and
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26 WHEREAS, Title IX has been renamed the Patsy Takemoto Mink
27 Equal Opportunity in Education Act in recognition of the late



1 United States Representative Patsy Mink's tireless efforts to
2 develop and pass Title IX; and

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4 WHEREAS, sexual violence is prevalent on college campuses
5 with statistics showing that one in five college women will be
6 raped before graduation; survivors of these sexual assaults are
7 often full-time students; and approximately one-third of these
8 sexual assaults are perpetrated on women who are first year
9 students between the ages of 17 and 19; and

10
11 WHEREAS, in the last five years, there has been increasing
12 media attention surrounding allegations of sexual misconduct on
13 college campuses focusing on universities' perceived "deliberate
14 indifference" and lack of institutional response to a growing
15 number of incidents and allegations of sexual violence and
16 sexual harassment; and

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18 WHEREAS, the United States Department of Education's Office
19 for Civil Rights, the administrative office enforcing Title IX,
20 published a document providing guidance concerning sexual
21 harassment in 2001 ("*Revised Sexual Harassment Guidance:
22 Harassment of Students by School Employees, Other Students, or
23 Third Parties*") and more recently provided guidance concerning
24 sexual harassment in an April 4, 2011 "Dear Colleague" letter
25 focused on sexual violence; and

26
27 WHEREAS, as a result of growing concern by students and
28 parents across the country and recent guidance from the
29 Department of Education's Office of Civil Rights, many
30 universities have made organizational and policy changes to
31 better address student allegations and safety; and

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33 WHEREAS, college campuses should not tolerate sexual
34 violence or any form of sex discrimination, but instead seek to
35 foster a culture that rejects sexual violence and educates
36 community members about how best to prevent and respond to a
37 sexual assault; and

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39 WHEREAS, the provisions of VAWA have been carefully crafted
40 with the input and assistance of more than 2,000 advocates and
41 experts from around the country; and

42
43 WHEREAS, VAWA ensures that survivors of sexual assault have
44 access to necessary services; improves institutional responses



1 to violence; provides access to services for gay, lesbian,
2 bisexual and transgender survivors who frequently are excluded
3 from services; and ensures that survivors of sexual assault in
4 Native American communities and in the United States Territories
5 have access to justice; and

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7 WHEREAS, violence against women is a continuing problem
8 that must be addressed; and

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10 WHEREAS, stereotypes, discrimination, and barriers still
11 exist for women and girls in various fields of study, including
12 science, mathematics, technology, and engineering; and

13
14 WHEREAS, educators and students are often not aware of
15 Title IX protections against sex discrimination and sexual
16 harassment; now, therefore,

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18 BE IT RESOLVED by the House of Representatives of the
19 Twenty-seventh Legislature of the State of Hawaii, Regular
20 Session of 2014, the Senate concurring, that the University of
21 Hawaii, in consultation with its student governing bodies,
22 faculty governing bodies, and the unions representing its
23 workers, is requested to:

- 24
25 (1) Affirm the University's commitment to following the
26 tenets of Title IX and VAWA and to preventing all
27 forms of violence against women and girls;
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29 (2) Ensure that the University is committed to increasing
30 resources and strengthening the institutional
31 infrastructure of all its campuses to more effectively
32 address and prevent sexual violence and other forms of
33 gender violence and discrimination;
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35 (3) Meet the mandates of Title IX by:
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37 (A) Publishing and widely disseminating notice of
38 nondiscrimination on the basis of sex;
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40 (B) Designating an employee to coordinate Title IX
41 compliance;
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43 (C) Adopting appropriate complaint and investigation
44 procedures;



- 1 (D) Implementing education and victim resource
2 programs;
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4 (E) Providing training to the campus community on how
5 to identify and report harassment; and
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7 (F) Providing training to appropriate employees about
8 how to investigate allegations of sexual
9 discrimination, including harassment and
10 violence;
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- 12 (4) Formulate plans to address and prevent gender
13 discrimination and gender violence given the unique
14 aspects of each campus and strengthen the
15 institutional response of the University of Hawaii
16 campuses to ensure compliance with Title IX and VAWA,
17 particularly at the University of Hawaii-Manoa, and
18 disseminate information regarding the steps, if any,
19 that have been taken to revise relevant University of
20 Hawaii policies and procedures to comply with Title IX
21 and VAWA, and to develop best practices to respond to
22 victims of sexual violence; and
23
- 24 (5) Conduct a study on the prevalence of sexual violence
25 on all campuses of the University of Hawaii system and
26 disseminate copies of this study to appropriate
27 parties; and
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- 29 (6) Identify critical stakeholders and offices to handle
30 complaints of sex-based violence, harassment, and
31 discrimination and develop streamlined policies and
32 procedures to ensure that complainants are able to
33 find information, make formal complaints, and access
34 University resources with ease and to ensure that the
35 University is able to respond to complaints in a
36 timely and effective manner; and
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38 BE IT FURTHER RESOLVED that the University of Hawaii is
39 requested to submit a report of its guidelines and the status of
40 its Title IX and VAWA policies, procedures, staffing and
41 statistics, including any proposed legislation to the
42 Legislature no later than twenty days prior to the convening of
43 the Regular Session of 2015; and



1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the University of Hawaii
3 Board of Regents and the Office of the President of the
4 University of Hawaii.
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