



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/04/2015
Time: 02:00 PM
Location: 309
Committee: House Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 0308 RELATING TO CHILD SAFETY

Purpose of Bill: Requires any state or county program for the instruction, enrichment, care, or supervision of children to comply with DOE rules and statutes governing acts of bullying, cyberbullying, or harassment. Requires program staff to report cases and receive related training. Requires the programs to allow parents or guardians of victims to appeal decisions to remediate.

Department's Position:

The Department of Education (Department) offers comments on this proposed measure.

The Hawaii Administrative Rules Title 8, Chapter 19, govern acts of bullying, cyberbullying and harassment in the Department. When a student's behavior violates established policies, rules, or regulations of the Department, state or local laws, the Department may take appropriate disciplinary action in accordance with this chapter. The purpose of school-administered discipline is to:

- (1) Promote and maintain a safe and secure educational environment;
- (2) Teach and acknowledge proper behavior which is beneficial to the educational process and self-development;
- (3) Deter students from acts which interfere with the purpose of education or which are self-destructive, self-defeating or anti-social; and
- (4) Maintain proper student conduct to ensure that educational activities and responsibilities remain uninterrupted.

The Department has concerns regarding the application of Chapter 19 to state- or county-administered public child care programs and whether or not the Rules are appropriate for the diverse programs given their varied child age ranges and provided services.



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
919 ALA MOANA BOULEVARD, ROOM 113
HONOLULU, HAWAII 96814
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 4, 2015

The Honorable Roy Takumi, Chair
House Committee on Education
and
The Honorable Isaac Choy, Chair
House Committee on Higher Education
Twenty-Eighth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Representative Takumi, Representative Choy, and Members of the Committees:

SUBJECT: HB 308 – Relating to Child Safety
HB 819 – Relating to Bullying

The State Council on Developmental Disabilities (DD) **SUPPORTS THE INTENT OF HB 308 and HB 819.** The purpose of the bills is to require all youth-serving agencies, public schools, and public charter schools that receive State funding to establish, maintain, monitor, and enforce policies and procedures related to all forms of bullying and cyberbullying to protect youth in the State.

People with DD are most vulnerable to be bullied. Bullying has been labeled as the leading cause of high suicide rates among our youth. According to the U.S. Centers for Disease Control and Department of Education, Hawaii has the highest rate in the nation of high school students who have made suicide plans.

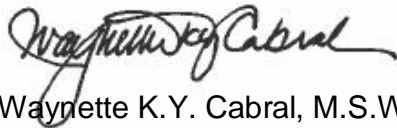
According to the National School Boards Association, currently, Hawaii does not have State laws covering anti-bullying. However, Hawaii does not have a State model policy that provides for a Communication Plan, which includes a plan for notifying students, students' families, and staff, of policies related to bullying, including the consequences for engaging in bullying. Nor does it provide Training and Preventive Education, which includes a provision for school districts to provide training for all school staff, including, but not limited to, teachers, aides, support staff, and school bus drivers, on preventing, identifying, and responding to bullying. Without such a policy to provide guidelines, institutions and agencies are not able to effectively address the issues of bullying.

The Honorable Roy Takumi
The Honorable Isaac Choy
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HB 308 and HB 819 address the need for such policies. HB 308 and HB 819, although comprehensive, will be challenging to implement, monitor, and enforce. There is a third anti-bullying bill, HB 396 – Relating to Youth, which appropriates funds to support anti-bullying and suicide prevention efforts in Hawaii's public schools. We respectfully recommend that these three bills be consolidated into one omnibus bill and be the vehicle to move forward during this legislative session.

Thank you for the opportunity to submit testimony **supporting the intent of HB 308 and HB 819.**

Sincerely,



Waynette K.Y. Cabral, M.S.W.
Executive Administrator



Rosie Rowe
Chair

HB308

Submitted on: 2/2/2015

Testimony for EDN on Feb 4, 2015 14:00PM in Conference Room 309

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|-----------------------------------|---------------------------|---------------------------|
| Tanya Abalos | Hawaii State Teachers Association | Support | No |

HAWAII YOUTH SERVICES NETWORK

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

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Daryl Selman, President
Judith F. Clark, Executive Director
Aloha House
American Civil Liberties Union of Hawaii
Bay Clinic, Inc.
Big Brothers Big Sisters of Honolulu
Big Island Substance Abuse Council
Blueprint for Change
Bobby Benson Center
Catholic Charities Hawaii
Child and Family Service
Coalition for a Drug Free Hawaii
Courage House Hawaii
Domestic Violence Action Center
EPIC, Inc.
Family Programs Hawaii
Family Support Hawaii
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
Kaanalike
Kahi Mohala Behavioral Health
KEY (Kualoa-Heeiea Ecumenical Youth)
Project
Kids Hurt Too
Kokua Kalihi Valley
Life Foundation
Marimed Foundation
Maui Youth and Family Services
Palama Settlement
P.A.R.E.N.T.S., Inc.
Parents and Children Together (PACT)
Planned Parenthood of Hawaii
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
YWCA of Kauai

February 2, 2015

To: Representative Roy Takumi, Chair
And members of the Committee on Education

Representative Isaac Choy, Chair
And members of the Committee on Higher Education

TESTIMONY IN SUPPORT OF HB 308 RELATING TO CHILD SAFETY

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports HB 308 Relating to Child Safety.

For the past 6 years, bullying has been one of the top concerns of the youth who participate in the annual Children and Youth Summit at the State Capitol each October.

According to the Hawaii Youth Behavioral Risk Survey, Hawaii has a low rate of youth violence in almost every area except bullying. The number of youth who have stated that they were afraid to go to school or have missed school due to bullying is much higher than the national average.

Children and youth who are victims of bullying are not able to take full advantage of their educational and recreational opportunities. They are unable to concentrate on their studies, may avoid participation in sports and recreation to avoid contact with bullies, and, in extreme cases, find the bullying so intolerable that they choose suicide as the only way to end it.

HYSN believes that that funding should be allocated to support a comprehensive approach to bullying prevention and intervention that includes:

- Bullying prevention education and character education for children and youth designed to promote peace and harmony and positive ways of resolving disputes;
- Education for parents and community members on how to prevent bullying and respond appropriately;

- Training for educators and students on prevention and intervention skills, and alternative means of dispute resolution;
- Law enforcement involvement only when other means fail.

HYSN has conducted bullying and violence prevention training for youth workers and educators in Hawaii and the Northern Mariana Islands for the past 4 years and is a member of the Anti-Bullying Task Force convened by Senator Suzanne Chun Oakland.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive style with a large initial "J" and a distinct "F" and "C".

Judith F. Clark, MPH
Executive Director



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

TESTIMONY FOR HOUSE BILL 308, RELATING TO CHILD SAFETY

House Committee on Education
Hon. Roy M. Takumi, Chair
Hon. Takashi Ohno, Vice Chair

Wednesday, February 4, 2015, 2:00 PM
State Capitol, Conference Room 309

Honorable Chair Takumi and committee members:

I am Kris Coffield, representing IMU Alliance, a nonpartisan political advocacy organization that currently boasts over 300 local members. On behalf of our members, we offer this testimony in support of House Bill 308, relating to child safety.

In a 2013 Qmark Research poll conducted on behalf of Equality Hawaii Foundation, 57 percent of registered voters said that they have been impacted by bullying. Many of those surveyed indicated having been bullied as youth. In 2012, from the start of the public school year to mid-December, there were 541 reported incidents of bullying, 94 cyberbullying incidents and 1,871 incidents involving harassment, according to statistics reported to the Hawaii State Board of Education. That year, students in the Aiea-Moanalua-Radford complex comprised 9 percent of state enrollment, but 12 percent of reported bullying incidents. Another 11 percent of reported bullying incidents occurred in the Honokaa-Kealakehe-Kohala-Konawaena complex, which has 5.8 percent of Hawaii's public school students. Moreover, some districts, like Hilo-Waiakea and Nanakuli-Waianae, reported no incidents of cyberbullying, raising questions about monitoring and compliance. In departmental surveys, 1 in 6 Hawaii high school students say that they have been bullied online or via text messages, while 20 percent reporting being bullied on school property. Nearly one-fourth of Hawaii middle-school students say they have been victims of cyberbullying and 41 percent reported being bullied at school.

Bullying precipitates depression and anxiety, increased feelings of sadness and loneliness, changes in sleep and eating patterns, loss of interest in enjoyable activities, health complaints, and decreased academic achievement. Bullied students are more likely to have subpar grade point averages and standardized test scores, lower levels of class participation, and increased rates of absenteeism and dropping out. Local teenagers turn to suicide as a solution to their problems at a level that has more than doubled over the past five years. According to the national *2013 Youth Risk Behavior Survey*, Hawai'i high school students had the seventh highest self-

reported prevalence of considering suicide, making a plan to commit suicide, and attempting suicide.

We must do all we can to end the cycle of bullying and self-harm. Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

LATE

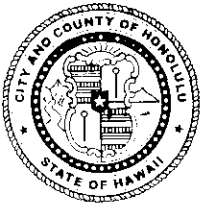
Aloha,

My name is Mahealani Sims-Tulba. I am a 9th grader and I am the daughter of Kim and Augie T. I am also the founder of B.R.A.V.E Hawaii, a non-profit organization that I created with the help of my parents because I am a victim of bullying. When I was 11 years old, I was bullied in school. At the time, I didn't know much about bullying or why it was happening to me. It was a very sad and scary experience because I felt so alone. I didn't want to tell my teachers because I was afraid of what would happen if I told. I would have felt a lot safer if I knew that I could talk to the teachers or administration and get help. I also feel that if the students knew that something would be done about the bullying at school, a lot more of the kids would be more willing to tell. I know that many kids get bullied and never say anything about it and that's why it seems like there really isn't a "problem", but there is a problem and it's a very big problem. If the teachers/schools were required to keep records of all the kids that get bullied, I know that people would be surprised how many reports there would be. I have had a lot of kids and their parents tell me that they told the school about the bullying and nothing was done. I really hope that a bill or law gets passed so that we can be more aware of how many kids are getting bullied. I just really want to help.

Thank you,

Mahealani Sims-Tulba

www.bravehawaii.org



CITY COUNCIL

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RON MENOR

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WRITTEN TESTIMONY ONLY

TESTIMONY OF
COUNCILMEMBER RON MENOR
COUNCIL DISTRICT 9
CITY AND COUNTY OF HONOLULU

LATE TESTIMONY

House Bill 308 RELATING TO CHILD SAFETY

Honorable Roy Takumi, Chair, and Members of the House Committee on Education:

I am testifying in strong support of House Bill 308 – Relating to Child Safety. Bullying, which includes cyberbullying, is a serious problem that requires immediate attention. Consider the following alarming facts:

- In a recent Equality Hawaii Foundation poll, three-quarters of Hawaii adults believe that bullying is either a “major problem” or a “large problem” in Hawaii schools today and 37 percent stated that they had been personally bullied.
- For the past five years, bullying has been a major concern of youth participants at the annual Children and Youth Summit held at the State Capitol each October.
- A 2011 survey conducted by the Centers for Disease Control indicated that a substantial percentage of middle and high school students were victims of bullying.
- Hawaii Youth Services Network and Mental Health America of Hawaii, which have trained thousands of youth and adults in the prevention of youth suicide and bullying over the past five years, found bullying can sometimes lead to depression and suicidal feelings.

Last year, I introduced Council Resolution 14-145 urging the City’s Department of Parks and Recreation (DPR) and the Department of Human Resources to jointly develop an anti-bullying policy for children and youth programs administered by the City. While the State Department of Education is implementing an anti-bullying policy to protect students on public school campuses, the City was lacking a comprehensive policy notwithstanding the fact that thousands of children are enrolled in its programs. The largest of these programs is the DPR’s Summer Fun Program, which serves 10,000 school-age children and teens annually during the months of June and July at over 60 sites island-wide. Resolution 14-145 FD1 passed unanimously by the City Council.

Mahalo for the opportunity to testify in strong support of this bill.