



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Finance
March 3, 2015 at 1:30 p.m.

by
Jan Gouveia
Vice President for Administration
University of Hawai'i System

HB 457 HD1– RELATING TO THE UNIVERSITY OF HAWAII

Chair Luke, Vice Chair Nishimoto, and Members of the Committee:

The University of Hawai'i appreciates the opportunity to strongly support HB 457 HD1, which acknowledges the importance of having adequate resources to not only comply with the federal requirements of Title IX of the Education Amendments of 1972 (Title IX) and the Violence Against Women Reauthorization Act of 2013 (VAWA), but effectively advance the spirit and intent of such laws.

In 2013, President Obama signed a bill that strengthened and reauthorized the Violence Against Women Act (VAWA). Included in the bill was the Campus Sexual Violence Elimination Act (Campus SaVE), which amends the Jeanne Clery Act and affords additional rights to campus victims of sexual violence, dating violence, domestic violence, and stalking. To this end, effective July 2015, every post-secondary institution who receives federal funds is affected with additional reporting, policy and procedural requirements – as they relate to sexual violence, dating violence, domestic violence, and stalking.

At the University, each campus is responsible for ensuring compliance with Title IX and VAWA. From an organizational standpoint, this is primarily executed through a designated Title IX coordinator. Historically, such a designation was assigned to an existing University official already tasked with other related duties. However, given the increased requirements associated with VAWA, the University believes dedicated, full-time Title IX coordinators for each 4-year campus and the Community Colleges system with specific experience and knowledge in the areas of sex discrimination and sexual violence are warranted.

Additionally, the increased program, procedural, and investigatory requirements associated with VAWA across all ten (10) campuses also warrant additional dedicated, full-time professionals with specific experience and knowledge in the areas of sex discrimination, including sexual misconduct. The bill supports a centralized approach to meeting these requirements at the system level because many of the issues, policies, programs, and training are better addressed from a comprehensive approach instead of each campus individually developing their own programs. This centralized approach advances principles of operational efficiency and economies of scale.

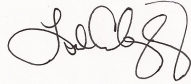
In closing, the University strongly supports HB 457 HD1 because it acknowledges the importance of having adequate resources to comply with and advance the federal requirements of Title IX of the Education Amendments of 1972 (Title IX) and the Violence Against Women Reauthorization Act of 2013 (VAWA).

Thank you for the opportunity to testify on this measure.

March 2, 2015

To: House Committee on Finance

Fr: Leslie D. Cabingabang



Re: HB457: Relating to the University of Hawai'i Title IX Compliance

Position: **IN SUPPORT WITH AMENDMENTS**

Aloha Chair Luke, Vice Chair Nishimoto and Members of the Committee,

I would like to thank the committee and the University administration for prioritizing Title IX Compliance. While my testimony is not the official stance of the University, I am writing as a coordinator for the UH Prevention Awareness Understanding Violence or PAU Violence Program and as a long time advocate for students who experience sexual violence, intimate partner violence, sexual harassment and stalking.

I am in support of this bill to provide resources for Title IX compliance, however I ask the committee and the university to specify funds to be used and distributed to support the declared priorities of prevention education. Furthermore, I am requesting the support for direct student services through the existing UH System PAU Violence Program.

The UH PAU Violence Program is a systemwide network developing infrastructure to provide awareness and education. The UH PAU Violence Program is underfunded and exists due to the volunteer efforts of faculty and staff on each campus. In 2011, we were denied continued funding from the Department of Justice Office of Violence Against Women Campus Grant Program due to lack of evidence our home institution would financially support our prevention education efforts. We are asking the State of Hawai'i and the University to support the UH System PAU Violence Program to continue and expand our direct student services.

In addition to prevention education, UH PAU Violence also provides academic, personal, and mental health support and advocacy for survivors. We define advocacy as assisting students at whatever point in their healing process, regardless of the alleged perpetrator's affiliation with the university. We recognize that students who survive sexual violence are not always immediately ready to seek legal (campus or civil) remedies to address their experience. Even more, students in violent relationships are less likely to report to authorities for fear their partners will get into trouble or the violence will escalate. UH PAU Violence advocates inform student survivors of all their options and assist in what the student needs help with, like connecting with counseling, finding the nearest health clinic, up to filing complaints or how to obtain protective orders.

On Page 2 Lines 7-16 of HB457, it states that “comprehensive ongoing prevention education, bystander intervention training, and training to students, faculty, and staff to address these criminal acts” are just as important as the investigation and reports of sexual violence. The measure does not indicate, however, how the university’s desired appropriations will be used to provide prevention education.

Sexual violence, intimate partner violence, sexual harassment and stalking amongst students are issues beyond Title IX and the Violence Against Women Act. Title IX coordinators and investigators are essential in the administration of institution policies, however do not meet the education and advocacy needs of students.

The UH System PAU Violence Program is dedicated to providing education to change the culture of acceptance of violence and promote healthy and safe relationships.

We humbly ask that the university dedicate funds to the existing infrastructure of the UH PAU Violence Program to provide continued outreach, prevention education, awareness and advocacy. Dedicated funding for the UH PAU Violence Program should include staff FTE and resources for training, outreach, education and direct student services.

My suggested amendment to this measure is to insert “PAU Violence” on Page 3 Line 16 to say, “**Staff, including investigators, coordinators, PAU Violence educational specialists, and trainers**” to ensure continued prevention education and advocacy for students. We ask **that two FTE positions be provided to coordinate existing violence prevention education and confidential advocacy for all campuses.**

Please vote for passage of HB457 with our proposed amendments to ensure dedicated funding to the existing, pertinent education and advocacy services of the UH System PAU Violence Program.

I am grateful for your time and consideration.

Mahalo

TO: House Committee on Higher Education
Conference Room 308
Hawai'i State Capitol
March 3, 2015, 1:30 p.m.

FROM: Camaron Miyamoto,
Coordinator, LGBT Student Services
University of Hawai'i at Mānoa



RE: HB457: Relating to the University of Hawai'i Title IX Compliance

POSITION: IN SUPPORT WITH AMENDMENTS

Chair Choy, Vice Chair Nishimoto and Members of the House Committee on Higher Education:

Thank you for this opportunity to submit written testimony on behalf of the Office of LGBT Student Services at the University of Hawai'i at Mānoa in support for HB457 with amendments. While my testimony is not the official stance of the University of Hawai'i, I am writing to share my expertise as tenured UH Mānoa faculty who work with students on a daily basis, including those who benefit from the professional services of our Pau Violence coordinators in the UH Mānoa Women's Center. I also serve on the Hawai'i State Department of Health Sexual Violence Prevention Hui and Community Action Team.

I support HB457 with the amendment that funds be specifically appropriated to The UH PAU Violence Program, or **Prevention Awareness Understanding Violence** Program within the Women's Center. Instead of only hiring new investigators, **our university needs to retain current staff in PAU Violence in the UH Mānoa Women's Center that support the immediate needs of survivors, provides prevention education for the entire campus community, outreach and advocacy.**

Our university has these services in place, but an appropriation is needed to ensure seamless staffing through PAU Violence. PAU Violence has in place a UH systemwide network developing infrastructure to provide awareness and education, as well as academic, personal, and mental health support for survivors. It is unique in that it encompasses both prevention and crisis services.

I strongly believe that without funding for systemwide PAU Violence professional staff our students will suffer because:

- **PAU Violence staff support students in crisis after sex assault and offer a safe and confidential means for them to do so.**
- **Elimination of PAU Violence staff will be a disservice to our students' well-being**
- **PAU Violence is the only program at the University with staff that supports the immediate needs of survivors, provides prevention education for the entire campus community, outreach and advocacy.**
- **Creates a lack of compliance with Title IX and other federal/state requirements.**

I support HB457 because without this bills passage, I fear we will lose critical staff at our university who work tirelessly to prevent violence on our campuses. We already have offices in place that investigate harassment and are responsible for Title IX reporting. **Please vote in support of HB457 with the addition of an appropriation for the UH PAU Violence Program.**



Planned Parenthood of Hawaii

To: Hawaii State House of Representatives Committee on Finance
Hearing Date/Time: Tuesday, March 3, 2015, 1:30 p.m.
Place: Hawaii State Capitol, Rm. 308
Re: Testimony of Planned Parenthood of Hawaii in support of H.B. 457, HD1

Dear Chair Luke and Members of the Committee on Finance,

Planned Parenthood of Hawaii (“PPHI”) writes in support of H.B. 457, HD1, which appropriates moneys for positions and materials to comply with Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013.

Planned Parenthood of Hawaii is dedicated to providing Hawaii’s people with high quality, affordable and confidential sexual and reproductive health care, education, and advocacy. To that end, we are proud to stand in support of this legislation and to offer our support as a leading sexual and reproductive health care provider. The intersections of gender-based violence and reproductive health are clear. At PPHI, we work to meet the needs of survivors—and to prevent sexual assault from ever happening—in all areas of our work, from screening for intimate partner violence, to advocating for policies that support comprehensive sexual education, including teaching about healthy relationships and consent.

The need for action on college sexual assault in Hawaii is urgent. An estimated one in four women and three percent of men in the United States experience an attempted or completed rape while in college. Moreover, the University of Hawaii system is under federal investigation for Title IX violations and sexual violence case mishandling. This is unacceptable.

H.B. 457 would help strengthen campus resources and supportive services for college students. But education about healthy relationships and consent needs to start much earlier than college. In addition to these efforts, we need comprehensive sexual education in every school, starting in kindergarten, to make sure students learn about healthy relationships many years before they even think about going to college or entering into intimate relationships. Gaps in Hawaii’s sexual health education have a significant impact on young people’s well-being and future relationships.

We urge the legislature to pass H.B. 457 and call on the Hawaii State Department of Education to ensure that comprehensive, age-appropriate sexual health education is provided to every student, every year, from kindergarten through 12th grade. Thank you for this opportunity to testify in support of H.B. 457.

Sincerely,
Laurie Field
Director of Public Affairs & Government Relations

HONOLULU
1350 S. King Street, Suite 310
Honolulu, HI 96814
808-589-1149

KAUAI
Education & Outreach
808-482-2756

KONA
Education & Outreach
808-442-4243

MAUI
Kahului Office Center
140 Ho’ohana Street, Suite 303
Kahului, HI 96732
808-871-1176

Providing the people of Hawaii with exceptional sexual and reproductive health care and education, through fearless advocacy and compassionate, affordable services, since 1966.





Nursing Advocates & Mentors, Inc.

... a non-profit organization with a mission to address the global nursing shortage by providing guidance and assistance for nursing colleagues to obtain their professional license in nursing.

P.O. Box 2034 Aiea, HI 96701 · E-mail: namihonolulu@yahoo.com

Bea Ramos-Razon, RN, FACDONA
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Oscar Querido, RN

Violeta Sadural, RN, BSN

Tina Salvador, RN, BSN, CNN

Linnette Takenaka, RN, DON

House Committee on Finance

March 3, 2015, 1:30 p.m., Conference Room 308

TESTIMONY IN STRONG SUPPORT OF HB 457

To: Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
Members of the House Committee on Finance

From: Beatrice Ramos-Razon, RN, FACDA, President, NAMI

Subject: Appropriates moneys for positions and materials to comply with Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013. (HB457 HD1)

My name is Beatrice Ramos-Razon. I am submitting our strong support of this bill, as the founder and president of NAMI (Nursing Advocates & Mentors, Inc.). NAMI's membership is comprised of over 75 volunteer nurses, instructors, allied health care professionals, and Filipino leaders, who are dedicated to improve the health of Hawai'i's people through education, mentoring, advocacy and service.

We fully agree with the intent of this bill. We also stand in strong support of comments provided by the University of Hawai'i PAU Violence Program, specifically for prevention and education. Thank you for the opportunity to submit testimony to strongly support Title IX compliance through passage of this bill.

Sincerely,

Beatrice Ramos Razon, RN, FACDA
President, Nursing Advocates and Mentors, Inc.

Filipino American Citizens League

Jake Manegdeg, President
P. O. Box 270126 * Honolulu, Hawai'i 96827

House Committee on Finance

March 3, 2015, 1:30 p.m., Conference Room 308

TESTIMONY IN STRONG SUPPORT OF HB 457

To: Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
Members of the House Committee on Finance

From: Jake Manegdeg, President
Charlene Cuaresma, Vice President
Filipino American Citizens League

Subject: Appropriates moneys for positions and materials to comply with Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013. (HB457 HD1)

We are Jake Manegdeg, president, and Charlene Cuaresma, vice president, of the Filipino American Citizens League. We are proud to submit our strong support of this bill. The Filipino American Citizens League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

We fully agree with the intent of this bill and stand in strong support of comments provided by the University of Hawai'i PAU Violence Program. We support PAU Violence as the entity to best provide prevention and education services.

Thank you for hearing this bill, and for the opportunity to support your leadership to determine that these Title IX safeguards, advocated by our dear friend and former Congresswoman Patsy Takemoto Mink, are a priority, and merit full funding for the public safety of our University of Hawai'i system.

Very Sincerely,

Jake Manegdeg
Charlene Cuaresma
Filipino American Citizens League



House Committee on Finance
March 3, 2015, 1:30 p.m., Conference Room 308

TESTIMONY IN STRONG SUPPORT OF HB 457

To: Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
Members of the House Committee on Finance

From: Jovanie de la Cruz, Executive Board of Directors, Filipino Coalition for Solidarity

Subject: Appropriates moneys for positions and materials to comply with Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013.

My name is Jovanie de la Cruz. I am an Executive Board of Directors Member for the Filipino Coalition for Solidarity. The Coalition strongly supports this bill. Since its inception in 1990, the Coalition has represented more than 50 Filipino community leaders, whose aim is to work for social justice issues to empower Filipinos to make socially responsible contributions to Hawai'i and our global neighbors through education, advocacy, and social action.

To ensure compliance of Title IX, Filipino Coalition for Solidarity highly recommends that the PAU Violence Program of the University of Hawai'i at Mānoa be supported with funds for staff and materials to conduct prevention and education programs on all UH system campuses. If given the resources, we have an opportunity to make substantive changes in campus safety for everyone.

We appreciate your deliberation on this bill and consideration of its passage.

Respectfully,

Jovanie de la Cruz
Executive Board of Directors, Member
Filipino Coalition for Solidarity

TO House Committee on Finance
Hawai'i State Capitol
Tuesday March 3, 2015, 1:30 p.m.
Conference Room 308

FROM: Jennifer Pagala Barnett

RE: SUPPORT FOR HB457 Relating to the University of Hawai'i Title IX
Compliance with AMENDMENTS

To Honorable Chair Luke, Vice Chair Nishimoto and the Members of the Committee,

Thank you to the committee for bringing forth the importance of Title IX compliance. I work for the Women's Center at the University of Hawai'i and I also assist with coordinating one of our programs, PAU (Prevention, Awareness, Understanding) Violence.

My testimony is not the official stance of the University of Hawai'i, but I am writing to share my experience as a staff that works with students that are affected by issues of Title IX. I am submitting testimony in support of HB 457 but am suggesting amendments specifically to include funding for prevention efforts and survivor services that exist through the PAU Violence Program.

The PAU Violence program assists our 10-campus system in creating an infrastructure to provide awareness education to address sexual violence, intimate partner violence, sexual harassment and stalking. PAU Violence and the Women's Center has worked collaboratively with the UH system to provide awareness raising events to educate our campus communities about interpersonal violence and how to foster healthy relationships. PAU provides bystander intervention training to educate and encourage all of our students to become active peers and to move towards changing the campus climate. In addition, PAU also strives to engage and include male students and interested peer leaders in our discussions and efforts to end interpersonal violence. In 2014, the PAU Violence program provided education and outreach to at least 8,000 students, faculty and staff within the UH system. Annual educational workshops are provided through New Student Orientation, transfer programs, bridge programs, new student athletes orientation, housing and department program orientations.

The PAU Violence program is not only committed to primary prevention, but is unique in also providing direct services to students. We support student survivors of gender violence by providing confidential crisis referral support, advocacy and connections to both campus and community resources. Most of the students who are referred or seek our services are students who are protected under Title IX but services are provided to any student regardless of who the alleged perpetrator is.

System wide faculty and staff professionals who provide prevention and advocacy services do so in addition to their assigned positions and job duties on their campus.

HB457 directly affects the work that the PAU Violence program is committed to providing. The program needs funding to maintain its services. Please consider amending HB457 to include at least 4 FTE staff along with resources for education and outreach. Currently HB457 supports the need for Title IX investigators but is not specific on the efforts to provide work for advocacy and prevention, both pieces that are significant to Title IX compliance.

Thank you for the opportunity to share this testimony. Please vote in support of HB457 with the addition of appropriations for the PAU Violence Program.

Mahalo.

TO: House Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Nishimoto, Vice Chair

FROM: Teresa Bill tbill808@gmail.com Honolulu Resident

RE: Testimony Support With Comments / Amendments HB 457,HD1
Relating to Univ. of Hāwai'i, Title IX & VAWA Compliance
Tues. March 3, 2015 1:30 p.m. Conference Room 308

I am Teresa Bill, testifying in support of HB457,HD1 allocating funds to the University of Hawaii to ensure compliance with Title IX and the Violence Against Women Act (VAWA) and to begin effectively addressing sexual violence on campus. Although an employee of UH, I am submitting testimony as a private citizen.

Thank you to the Women's Legislative Caucus and the Women's Coalition for bringing needed attention to these issues.

The University of Hāwai'i requested funding for positions including Title IX Coordinators and investigators. I believe the Women's Caucus acutely and correctly included language in HB457 addressing prevention education and direct services to students. I urge the Committee to ensure that this funding to the Univ. of Hāwai'i includes some funds for UH PAU Violence to provide prevention education, awareness and direct student support services mentioned in HB457.

While "legal compliance" issues are important, as an advocate for students I know students need engaged prevention and awareness training as well as easy access to crisis services. The lack of and underfunding of such direct student services are acutely felt by students. Beginning July 1, 2015, the Violence Against Women Act requires Universities to engage in prevention strategies and ensure that students have access to needed services. This is in addition to the Title IX requirements of accurately reporting and investigating these criminal acts. Prevention and awareness, building a new culture of non-acceptance of violence among our students, must occur simultaneously with services to victims of assault.

The UH PAU Violence Program (**P**revention **A**wareness **U**nderstanding **V**iolence Program) has in place a UH systemwide network developing infrastructure to provide awareness and education, as well as academic, personal, and mental health support for survivors. It is unique in that it encompasses both prevention and crisis services. It is not unique in that such important services are not regularly funded by UH. Funding is always cobbled together of funds begged from this office & that, with campus-based personnel volunteering much of their time and energy.

The University needs to partner with community-based providers, and I have submitted testimony supporting the on-going funding of SATC (Sex Abuse Treatment Center) because we refer students to their services and they do incredible work. **But the University also needs to fund and ensure the stability of direct student services -- people who engage with students in prevention and awareness, which also establishes a trusted portal for students needing and seeking crisis services.**

Thank you for this opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 01, 2015 8:03 PM
To: FINTestimony
Cc: sharon.s.coburn@gmail.com
Subject: *Submitted testimony for HB457 on Mar 3, 2015 13:30PM*

HB457

Submitted on: 3/1/2015

Testimony for FIN on Mar 3, 2015 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Sharon Coburn	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 03, 2015 4:02 PM
To: FINTestimony
Cc: gigidrent@gmail.com
Subject: *Submitted testimony for HB145 on Mar 4, 2015 11:00AM*

HB145

Submitted on: 3/3/2015

Testimony for FIN on Mar 4, 2015 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
gigi Drent	Individual	Support	No

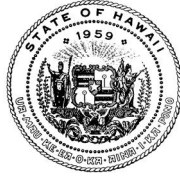
Comments:

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LATE

DAVID Y. IGE
GOVERNOR OF HAWAII



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STATE OF HAWAII
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**Testimony in OPPOSITION to HB0145, HD1
RELATING TO TAXATION**

REPRESENTATIVE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: March 4, 2015

Room Number: 308

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (DOH) opposes HB0145, HD1 which
3 establishes a refundable income tax credit for qualified cigar producers after December 31, 2112.
4 The DOH defers to the Department of Taxation as to interpretation and implications of this
5 measure.

6 The DOH opposes this measure intended to singularly benefit those who produce and sell
7 cigars which contain toxic, carcinogenic chemicals that produce even more secondhand smoke
8 than cigarettes. Cigars, in all shapes and sizes, are addictive and harmful products that cause
9 cancer, heart disease, and chronic obstructive pulmonary disease (COPD).¹ There is neither a
10 public health nor fiscal justification for providing cigar producers a special tax credit treatment
11 for selling a product that causes disease and death.

12 The DOH is most concerned about the public health implications, as creating tax credits
13 for producing and selling tobacco products encourages increased smoking and discourages
14 quitting. Cigar smoking is addictive, and cigar smoke, like cigarette smoke, contains toxic and
15 cancer-causing chemicals that are harmful to both smokers and non-smokers. There is no safe
16 tobacco product, and there is no safe level of exposure to tobacco smoke.

17 Smoking and tobacco use are the leading cause of preventable death and disease in
18 Hawaii, claiming 1,200 lives each year and generating \$526 million in annual medical costs

¹ National Cancer Institute (NCI), *Cigars: Health Effects and Trends. Smoking and Tobacco Control Monograph No. 9*, 1998. Economic Research Service, U.S. Department of Agriculture (USDA). U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB), Tobacco Statistics.

1 directly attributable to smoking, according to the Centers for Disease Control and Prevention
2 2014 report, “Best Practices for Comprehensive Tobacco Control Programs.”

3 Cigar smoking is not a safe alternative to cigarette smoking. The U.S. Surgeon General
4 has declared that cigar smoke contains the same toxic substances as cigarette smoke, with
5 varying concentrations of these constituents found in different types and sizes of cigars. In fact,
6 a single large cigar can contain as much tobacco and nicotine as an entire pack of cigarettes.
7 Cigar smoking causes oral cavity cancers (cancers of the lip, tongue, mouth, and throat) and
8 cancers of the larynx, esophagus, and lungs. Cigar smokers are also at an increased risk for heart
9 disease, an aortic aneurysm, and COPD.

10 Cigars have fewer federal regulations than cigarettes and other tobacco products. This, as
11 well as their lower taxes, is resulting in increased popularity. While cigarette smoking is
12 declining across the nation, total consumption of all cigars has increased dramatically. Between
13 2006 and 2010, cigar consumption nationally increased by 123%.

14 In Hawaii, current cigar use tripled from 3.2% in 2006 to 10.8% in 2010. Youth cigar
15 use is also increasing. In the 2013 Hawaii Youth Tobacco Survey, 4.9% of public high school
16 students reported currently using cigars and 14% are experimenting with cigars.

17 Thank you for the opportunity to testify.