

HB819 HD2

Measure Title: RELATING TO BULLYING.

Report Title: Bullying; Child Safety

Description: Requires state and county agencies and grantees that serve youth to adopt bullying prevention policies. Establishes a task force to assist the Governor with bullying prevention policies in the State. Appropriates funds. (HB819 HD2)

Companion: [SB845](#)

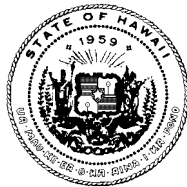
Package: None

Current Referral: EDU, JDL/WAM

Introducer(s): TAKUMI, AQUINO, CHOY, ICHiyAMA, ING, C. LEE, LOPRESTI, MCKELVEY, OHNO, TSUJI

Sort by Date		Status Text
1/26/2015	H	Pending introduction.
1/28/2015	H	Introduced and Passed First Reading
1/28/2015	H	Referred to EDN, JUD, referral sheet 3
1/30/2015	H	Bill scheduled to be heard by EDN on Wednesday, 02-04-15 2:00PM in House conference room 309.
2/4/2015	H	The committee(s) on EDN recommend(s) that the measure be deferred until 02-11-15.
2/9/2015	H	Bill scheduled for decision making on Wednesday, 02-11-15 2:00PM in conference room 309.
2/11/2015	H	The committees on EDN recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 10 Ayes: Representative(s) Takumi, Ohno, Choy, Ing, Kong, LoPresti, Say, Tsuji, Matsumoto, Tupola; Ayes with reservations: none; Noes: none; and 3 Excused: Representative(s) Aquino, Ichiyama, Ito.
2/20/2015	H	Reported from EDN (Stand. Com. Rep. No. 435) as amended in HD 1, recommending passage on Second Reading and referral to JUD.
2/20/2015	H	Passed Second Reading as amended in HD 1 and referred to the committee(s) on JUD with none voting aye with reservations; Representative(s) McDermott voting no (1) and Representative(s) Ito excused (1).
2/27/2015	H	Bill scheduled to be heard by JUD on Tuesday, 03-03-15 1:00PM in House conference room 325.

2/27/2015	H	Broadcast of hearing/briefing available. See: www.capitoltv.org
3/3/2015	H	The committees on JUD recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 11 Ayes: Representative(s) Rhoads, San Buenaventura, Brower, Creagan, Kawakami, C. Lee, Morikawa, Takayama, Woodson, McDermott, Thielen; Ayes with reservations: none; 0 Noes: none; and 3 Excused: Representative(s) Belatti, Hashem, Nakashima.
3/6/2015	H	Reported from JUD (Stand. Com. Rep. No. 831) as amended in HD 2, recommending passage on Third Reading.
3/6/2015	H	Forty-eight (48) hours notice Tuesday, 03-10-15.
3/10/2015	H	Passed Third Reading as amended in HD 2 with none voting aye with reservations; Representative(s) McDermott voting no (1) and none excused (0). Transmitted to Senate.
3/12/2015	S	Received from House (Hse. Com. No. 233).
3/12/2015	S	Passed First Reading.
3/12/2015	S	Referred to EDU, JDL/WAM.
3/12/2015	S	The committee(s) on EDU has scheduled a public hearing on 03-16-15 1:15PM in conference room 229.



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

March 13, 2015

MEMORANDUM

TO: The Honorable Michelle N. Kidani, Chair
Senate Committee on Education

FROM: Rachael Wong, DrPH, Director

SUBJECT: **H.B. 819 HD 2 – RELATING TO BULLYING**

Hearing: Monday, March 16, 2015; 1:15 p.m.
Conference Room 229; State Capitol

PURPOSE: The purpose of H.B. 819 HD 2 is to (1) Require all youth-serving agencies and grantees of the State to adopt, enforce, and report on anti-bullying policies and procedures; (2) Prohibit a public charter school from discriminating against a student or limiting admission to a student based on gender identity or expression; and (3) Establish and fund a Bullying Prevention Task Force within the Department of Education.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this measure and supports the notion that no child be subjected to bullying. The DHS provides the following comments.

The DHS is an agency that provides services, activities or privileges to youth. The DHS already maintains a civil rights policy that all individuals must be provided an equal opportunity to participate in programs, activities and services of the DHS without regard to race, color, national, origin, age, disability, gender, religion and other areas protected by Federal and State

laws, as amended periodically. The DHS policy addresses harassment and bullying, and applies to children who attend public or private schools and are engaged in DHS services. The policy applies to all organizational divisions, agencies and/or commissions and organizations that receive State or Federal funds through contracts or other arrangements with the DHS. DHS also maintains a complaint process to address complaints of discrimination.

DHS requests clarification of the scope and breadth of the proposed measure as the measure addresses behavior between students in a public school environment. Additionally, a different and separate policy as proposed may prove to be counterproductive rather than preventative.

The DHS defers to the Department of Education regarding its implementation and policy development needs.

Thank you for the opportunity to provide comments on this bill.

DAVID IGE
GOVERNOR



CATHERINE PAYNE
CHAIRPERSON

STATE OF HAWAII
STATE PUBLIC CHARTER SCHOOL COMMISSION
(‘AHA KULA HO‘ĀMANA)

<http://CharterCommission.Hawaii.Gov>
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813
Tel: 808-586-3775 Fax: 808-586-3776

FOR: HB819 HD2 Relating to Bullying
DATE: Monday, March 16, 2015
TIME: 1:15 p.m.
COMMITTEE(S): Senate Committee on Education
ROOM: Conference Room 229
FROM: Tom Hutton, Executive Director
State Public Charter School Commission

Chair Kidani, Vice Chair Harimoto, and members of the Committee:

The State Public Charter School Commission (“Commission”) appreciates the opportunity to submit this testimony supporting the intent of House Bill 819 HD2, “Relating to Bullying,” which would establish require policies and practices for the prevention and remedying of bullying of public schools and other entities that provide services, activities, or privileges to youth.

The Commission is strongly committed to ensuring that all students have safe and supportive learning environments in Hawaii’s public charter schools. The Commission supports the proposed amendment to Hawaii’s charter school law, Chapter 302D, Hawaii Revised Statutes, that would clarify that discrimination on the basis of sex includes discrimination on the basis of gender identity or expression.

We would note that although the Commission, as the authorizer of public charter schools, does not provide services, activities, or privileges to youth, the requirements of this measure may prove administratively challenging for the public charter schools themselves, which typically are lightly staffed. The Commission appreciates the role of the proposed task force in making assistance and resources available to schools and other affected agencies and grantees, and we strongly support the proposed appropriation that has been added to the bill for this work.

Thank you for the opportunity to provide this testimony.



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
March 16, 2015

The Honorable Michelle N. Kidani, Chair
Senate Committee on Education
Twenty-Eighth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Senator Kidani and Members of the Committee:

SUBJECT: HB 819 HD2– Relating to Bullying

The State Council on Developmental Disabilities (DD) **SUPPORTS THE INTENT OF HB 819 HD2**. The purpose of the bill is to require all youth-serving agencies, public schools, and public charter schools that receive state or county funding to adopt, 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 Council appreciates the bill's approach in the development of bullying prevention policies, programs, and reporting procedures, and establishment of a Bullying Prevention Task Force. Although comprehensive, we are concerned that it will be challenging to implement, monitor, and enforce the provisions in the bill without necessary staff and fiscal resources.

The Honorable Michelle N. Kidani
Page 2
March 16, 2015

Thank you for the opportunity to submit testimony **supporting the intent of
HB 819 HD2.**

Sincerely,



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



Rosie Rowe
Chair



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

TESTIMONY BEFORE THE SENATE
COMMITTEE ON EDUCATION

Wil Okabe
President
Joan Kamila Lewis
Vice President
Colleen Pasco
Secretary-Treasurer
Wilbert Holck
Executive Director

DATE: MONDAY, MARCH 16, 2015

RE: H.B. 819, H.D. 2 - RELATING TO BULLYING

PERSON TESTIFYING: JOAN LEWIS, VICE PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

The Honorable Chair Michelle Kidani, Honorable Vice Chair Breene Harimoto and Members of the Committee:

The Hawaii State Teachers Association **strongly supports H.B. 819, H.D. 2**. We believe that the school environment must be free from all forms of bullying, including physical, psychological, and cyber bullying.

From our perspective, students learn best when they know they are safe from anti-social behavior. We believe that every child should be able to come to school without feeling intimidated or bullied by others. Bullying and cyber bullying rob students 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 works in a secure public school.

Anti-bullying education should start at 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 be equally committed to ending bullying against teachers, from no matter whom the harassment originates.

Thank you for the opportunity to testify in **strong support of H.B. 819, H.D. 2**.



HUMAN
RIGHTS
CAMPAIGN®

The Honorable Sen. Michelle Kidani
Chair, Senate Committee on Education
State Capitol, Conf. Room 228
415 South Beretania Street
Honolulu, Hawaii 96813

March 16, 2015

Re: **SUPPORT for HB 819, Testimony from the Human Rights Campaign before the Senate Committee on Education in support of comprehensive anti-bullying legislation.**

Dear Chairperson Kidani and Members of the Senate Committee on Education:

The Human Rights Campaign (HRC) is America's largest civil rights organization working to achieve lesbian, gay, bisexual, and transgender (LGBT) equality. By inspiring and engaging all Americans, HRC strives to end discrimination against LGBT citizens and realize a nation that achieves fundamental fairness and equality for all. HRC believes that all youth deserve a safe educational environment that is free of bullying and discrimination on the basis of sexual orientation or gender identity. On behalf of HRC's nearly 6,000 members in Hawaii, we thank you for allowing us to submit testimony in favor of HB 819, which will protect youth in Hawaii from bullying and discrimination. We urge you to swiftly pass this legislation.

The passage of this anti-bullying legislation is critical to ensure the safety and well-being young people in Hawaii. Bullying and harassment has become a serious public health crisis in our nation's schools. Nationally, sixty-five percent of teens have been verbally or physically harassed or assaulted based on a characteristic that makes them different from some of their peers, like their race, religion, or gender, and sixty-five percent of junior high school teachers report that bullying and harassment is a serious problem in their school.ⁱ In Hawaii in 2013, nearly 19% (1 in 5) of students reported being bullied on school property and more than 15% reported experiencing cyberbullying.ⁱⁱ

Bullying and harassment has often increased adverse effects on marginalized students, including those who identify as LGBT. A national survey of LGBT youth showed that nearly 75% of LGBT students experience verbal or physical harassment in school.ⁱⁱⁱ LGBT students who experienced high levels of victimization were three times as likely to be absent from school and had grades on average a half a grade lower than their peers. Though these statistics reflect the experiences of LGBT students, consequences like absenteeism, lowered educational aspirations and academic achievement, and poorer psychological well-being can affect all students who experience bullying and harassment.



HUMAN
RIGHTS
CAMPAIGN[®]

Research demonstrates that a crucial part of addressing bullying and harassment in schools is the adoption of enumerated anti-bullying policies, meaning policies that protect all students but that identify characteristics that are commonly targeted for bullying and harassment. Enumeration is necessary to ensure that anti-bullying policies provide protection for marginalized students such as LGBT youth. Students who attend schools with enumerated policies report less bullying and harassment and a higher rate of intervention by teachers when bullying occurs.^{iv} We applaud the sponsors of this legislation for making the bill as inclusive as possible.

HB 819 is more comprehensive than the majority of states' anti-bullying legislation because it applies to all youth-serving agencies in Hawaii. This will help ensure that young people feel safe and welcome in parks and in libraries as well as public and charter schools. Moreover, the bill places an emphasis on alternative discipline and preventive education, rather than exclusionary discipline or zero-tolerance policies. This is essential because exclusionary discipline policies do little to make schools safer, and they have an increased negative impact on marginalized students, such youth of color, LGBT youth, and youth with disabilities.^v Finally, the bill creates an implementation task force to ensure that schools and agencies work together to address bullying in a concerted way across Hawaii.

We strongly support HB 819, comprehensive anti-bullying legislation which will help ensure the safety of all youth in Hawaii. If you should have any questions regarding HRC's support for HB 819, please contact me at 202-572-8960 or by email at Alison.Gill@hrc.org.

Sincerely,

Alison Gill, Esq.
Senior Legislative Counsel
Human Rights Campaign

ⁱ Harris Interactive and GLSEN (2005). *From Teasing to Torment: School Climate in America, A Survey of Students and Teachers*. New York: GLSEN. Available at

<http://www.glsen.org/sites/default/files/From%20Teasing%20to%20Torment%20Full%20Report.pdf>

ⁱⁱ Centers for Disease Control and Prevention. 2013 Youth Risk Behavior Survey. Available at: www.cdc.gov/yrbs. Accessed on February 2, 2015.

ⁱⁱⁱ Kosciw, J. G., Greytak, E. A., Palmer, N. A., & Boesen, M. J. (2014). *The 2013 National School Climate Survey: The experiences of lesbian, gay, bisexual and transgender youth in our nation's schools*. New York: GLSEN. Available at http://www.glsen.org/sites/default/files/2013%20National%20School%20Climate%20Survey%20Full%20Report_0.pdf

^{iv} Id.

^v American Psychological Association Zero Tolerance Task Force (2008). *Are zero tolerance policies effective in the schools? An evidentiary review and recommendations*. *The American psychologist*, 63(9), 852-62.

UNIVERSITY OF HAWAII AT MĀNOA

LGBT Student Services Office

TO: Senate Committee on Education
Conference Room 229
Hawai'i State Capitol
March 16, 2015, 1:15 p.m.

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



RE: **STRONG SUPPORT FOR HB819 HD2--The Safe Schools for All Students Act.**

Chair Kidani, Vice Chair Harimoto and Members of the Senate Committee on 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 strong support of for HB819 HD2.

While my testimony is not the official stance of the University of Hawai'i, my testimony is grounded in over 20 years of professional experience here in Hawai'i as a trainer, researcher and advocate in the areas of harassment, non-discrimination and bullying-prevention; the areas of expertise for which I was awarded tenure as UH Mānoa faculty.

I co-founded the Hawai'i Safe Schools Coalition in 1999, which led the state-wide campaign to successfully add "race, ethnicity, national origin, sexual orientation, disability and religion" to the Department of Education definition of "harassment" in the Chapter 19 administrative rules relating to student misconduct. In 2009, I worked with the University of Hawai'i Board of Regents to add "gender identity and expression" to the UH Policy of non-discrimination. I continue to conduct research and trainings for the University on bullying prevention, bystander education, and student empowerment.

Today, I encourage you to vote to support this anti-bullying legislation because:

- **All young people deserve living, learning environments and appropriate state-funded services that are free from harassment, intimidation, bullying or intolerance.**
- **It is important for the state of Hawai'i to send a message that we will NOT FUND BULLYING and programs that are resistant to complying with state or federal law.**
- The Chapter 19 administrative rules currently in the Hawai'i Department of Education only cover student-on-student bullying. **There are no protections in the Department of Education Chapter 41 for students who are bullied, harassed or face discrimination at the hand of faculty or staff.**
- **Chapter 19, Chapter 41 and other administrative rules within the DOE can be changed within internal processes, offer insufficient protections, and do not offer the same weight as state law.**
- Further, **92% of registered voters indicated that it is "important" for the state to address bullying**, in a poll conducted by Equality Hawai'i.

I urge you to take proactive steps today. I ask you to please vote in support of HB819 HD2. Mahalo.

2600 Campus Road, Queen Lili'uokalani Center for Student Services 211-C, Honolulu, Hawai'i 96822-2205

Telephone: (808) 956-9250, Facsimile: (808) 956-9314, Email: LGBTQ@hawaii.edu

An Equal Opportunity/Affirmative Action Institution



S E A C
Special Education Advisory Council

919 Ala Moana Blvd., Room 101

Honolulu, HI 96814

Phone: 586-8126 Fax: 586-8129

email: spin@doh.hawaii.gov

March 16, 2015

**Special Education
Advisory Council**

Ms. Ivalee Sinclair, *Chair*
Ms. Martha Guinan, *Vice
Chair*

Ms. Brendelyn Ancheta
Dr. Tammy Bopp
Dr. Robert Campbell
Ms. Deborah Cheeseman
Ms. Annette Cooper
Ms. Shari Dela Cuadra-Larsen,
liaison to the Superintendent
Ms. Gabriele Finn
Ms. Jenny Gong
Ms. Natalie Haggerty
Ms. Barbara Ioli
Ms. Valerie Johnson
Ms. Deborah Kobayakawa
Ms. Bernadette Lane
Ms. Dale Matsuura
Ms. Stacey Oshio
Ms. Zaidarene Place
Ms. Barbara Pretty
Ms. Kau'i Rezentes
Ms. Rosie Rowe
Dr. Patricia Sheehey
Mr. Tom Smith
Ms. Lani Solomona
Dr. Todd Takahashi
Dr. Daniel Ulrich
Dr. Amy Wiech
Ms. Cari White
Ms. Jasmine Williams
Ms. Susan Wood

Amanda Kaahanui, Staff
Susan Rocco, Staff

Senator Michelle Kidani, Chair
Committee on Education
State Capitol
Honolulu, HI 96813

RE: HB 819, HD 2 - Relating to Bullying

Dear Chair Kidani and Members of the Committee,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **supports the intent** of HB 819, HD 2 that requires all schools and youth-serving agencies to adopt bullying prevention policies and establishes a task force to assist the Governor in carrying out this legislation.

The latest 2013 Youth Risk Behavior Survey found that roughly one in five middle and high school students in Hawaii were bullied on school property. Students with disabilities are at even greater risk of harm, suffering two to three times more bullying incidents than students without disabilities.

SEAC values the intent of HB 819, HD 2 to protect youth in a variety of settings. We strongly support more specificity in the bill regarding how the agency policies will be monitored, enforced and their outcomes reported out to the public.

Thank you for the opportunity to provide testimony on this comprehensive legislation. If you have questions or concerns, I would be happy to address them.

Respectfully,

Ivalee Sinclair, Chair

**GAY LESBIAN
BISEXUAL AND
TRANSGENDER
CAUCUS**



**DEMOCRATIC
PARTY OF HAWAII**

Hawaii State Senate Committee on Education
Senator Michelle N. Kidani, Chair
Senator Breene Harimoto, Vice Chair
Hearing Date and Time: Monday, March 16, 2015, 1:15pm
Place: Conference Room 229, State Capitol, 415 South Beretania Street

IN SUPPORT OF H.B. 819 HD2 – RELATING TO BULLYING

(Requires agencies that serve youth to adopt bullying prevention policies.
Establishes a task force to assist the Governor with bullying prevention policies.)

H.B. 819 HD2 proposes the broadest effort to date to address bullying. It requires certain state and county agencies and grantees to adopt bullying prevention policies; it establishes a task force to assist the Governor with bullying prevention policies; it establishes a retaliation reporting task force.

The Caucus takes particular interest in bullying, because LGBT students are 3-4 times more likely to attempt suicide. While there is not enough research to make a causal connection between bullying and suicide, bullying has adverse effects on the bully, the victim and the witnesses. Victims report symptoms of PTSD, depression/anxiety, low self-esteem, sleeping problems, stomach aches, headaches.... Bullies report suicidal ideation, substance abuse, early sexual activity and tend to perpetuate abuse in their romantic relationships. Witnesses report negative psychological and physiological effects equal to that of victims, including depression/anxiety and substance abuse of tobacco, alcohol or other drugs.

What is the answer? Traditional methods of punishment and reform that focus on the bully and the victim are not effective. Apparently enumerated statutes are at least part of the answer. *Romer v. Evans* noted "enumeration is the essential devices used to make the duty not to discriminate concrete and to provide guidance for those who must comply." Research supports this finding. Over a dozen states have implemented anti-bullying statutes that include enumeration of those groups protected, the activities forbidden, etc. National research has shown that 73% of students have responded that they have heard homophobic remarks in states where the legislation does not enumerate; this drops to 60% in states which have enumerated statutes.

In addressing bullying, it is important to use a holistic approach that involves the entire community. The broader approach is reflected in HB819.

We urge you to pass this bill from committee.

Very truly yours,
Jo-Ann M. Adams, Legislative Liaison
Gay, Lesbian, Bisexual and Transgender Caucus
Democratic Party of Hawaii



AMERICANS FOR DEMOCRATIC ACTION

OFFICERS

John Bickel, President
Chuck Huxel, Vice-President
Fritz Fritschel, Treasurer
Karin Gill, Secretary

DIRECTORS

Guy Archer
Juliet Begley
Alan Burdick
Josh Frost
Brien Hallett
Jan Lubin
Stephen O'Harrow
Jim Olson

MAILING ADDRESS

George Simson
Bart Dame (Alt)
Marsha Schweitzer (Alt)
PO. Box 23404
Honolulu
Hawai'i 96823

March 13, 2015

Chairs Senator Michelle Kidani and Education Committee Members

Re: HB 819 HD 2
Testimony in Support
Hearing on March 16, 2015

Dear Senator Kidani and Members of the Committees:

Americans for Democratic Action is an organization devoted to the promotion of progressive public policies.

We support HB 819 HD 2 as it would make progress toward a more comprehensive program to reduce bullying. We appreciate a Task Force to look into the DOE's policies and enforcement of anti-bullying. We do note, however, that the bill lacks the language to include suicide prevention, language we found in SB 978 to appropriate funds for anti-bullying and suicide prevention in the DOE. We either encourage you to amend HB 819 HD 2 to include such language or keep it mind for a potential conference committee on this bill or SB 978 if it comes out of the House with amendments.

Thank you for your consideration.

Sincerely,

John Bickel
President

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

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-Heeia 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

March 13, 2015

To: Senator Michelle N. Kidani, Chair
And members of the Committee on Education

TESTIMONY IN SUPPORT OF HB 819 HD2 RELATING TO BULLYING

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports HB 819 HD2 Relating to Bullying.

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, sweeping initial "J".

Judith F. Clark, MPH
Executive Director

Committee Hearing before the Committee on Education in support of the Safe Schools for All Students Act

March 16, 2015

Room Number 229

1:15pm

Statement submitted by:

GLSEN (Gay, Lesbian, and Straight Education Network) Hawai'i

Attn: Committee on Education:

Aloha Education Chair Sen. Michelle Kidani,

Thank you for your continued leadership on the important issue of school safety and for this opportunity to present testimony in support of HB819. I am Kaleo Ramos, Co-Chair of GLSEN Hawai'i. GLSEN is the leading national education organization focused on ensuring safe schools for all students. For 25 years, GLSEN has worked to ensure that each member of every school community is valued and respected, regardless of sexual orientation or gender identity and expression. We do this by providing staff professional development as well as supporting students in their efforts to help create a safe and welcoming school climate. In addition, we work with student clubs commonly known as gay straight alliances. We work to ensure that all students have a safe place to voice their concerns regarding any issue, including bullying and/or harassment.

Bullying and harassment are truly vital issues, both in Hawai'i and throughout our country. Too many students are afraid to go to school each day because of the relentless bullying they know they will face. The problem can be exacerbated for vulnerable student populations such as lesbian, gay, bisexual, and transgender (LGBT) youth, students with disabilities, and students of color. Based on GLSEN's *2013 National School Climate Survey*, research found that schools are unsafe and unwelcoming for the majority of LGBT students. Sixty-five percent heard homophobic remarks, 30% missed at least one day of school in the past month because they felt unsafe or uncomfortable and 85% were verbally harassed in the past year. It is clear that there is an urgent need for action to create safe and affirming schools for our LGBT youth.

Fortunately, years of research on bullying and harassment has provided us with solutions that work, such as comprehensive, enumerated anti-bullying policies such as HB819. Research has shown that enumeration is necessary to ensure that anti-bullying policies provide protection for all students. Students who attend schools with enumerated policies report less bullying and harassment, a higher rate of intervention by teachers, an overall increased feeling of safety, and

a greater willingness to report incidents of bullying and harassment when they occur.¹ However, research shows that students in states *without* enumerated laws have roughly the same experience of bullying as students in states with no anti-bullying laws at all.²

We also strongly support the provisions of HB819 which provide for statewide reporting of incidents of bullying and harassment. The collection and analysis of data about bullying and harassment is an important component of any strategy to confront this issue. Statewide data collection would allow the Governor, Department of Education, educators, and the general public to annually receive an aggregate report about incidents of bullying and harassment in Hawai'i. This would help make funding decisions and consider any further updates to the law to better address bullying and harassment. The availability of aggregate data would also allow the Governor to make an informed assessment of how the law is working, to suggest improvements, and to tailor implementation efforts. Finally, these annual reports would help school districts tailor district anti-bullying efforts to address particular bullying issues, such as cyberbullying or bullying against LGBT students.

Enumerated anti-bullying policies, collection and analysis of statewide bullying data, and alternative school discipline are all necessary aspects of ensuring school safety in Hawai'i. We thank you for examining these important issues and urge the Committee to pass HB819 to provide all Hawai'i students with a safe, supportive educational environment. Passing HB819 will send a strong message to our youth that LGBT individuals are equal in the eyes of the law.

Mahalo for your time,

B. Kaleo Ramos
Chapter Co-Chair
GLSEN Hawaii

¹ Kosciw, J. G., Greytak, E. A., Diaz, E. M., and Bartkiewicz, M. J. (2013). The 2013 National School Climate Survey: The experiences of lesbian, gay, bisexual and transgender youth in our nation's schools. New York: GLSEN.

² Ibid.



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

TESTIMONY FOR HOUSE BILL 819, HOUSE DRAFT 2, RELATING TO BULLYING

**Senate Committee on Education
Hon. Michelle N. Kidani, Chair
Hon. Breene Harimoto, Vice Chair**

**Monday, March 16, 2015, 1:15 PM
State Capitol, Conference Room 309**

Honorable Chair Kidani 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 819, HD 2, relating to bullying.

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



Monday, March 16, 2015

Relating to House Bill 819, House Draft 2
Testifying in Support

Aloha, Chair Kidani, Vice Chair Harimoto, and Members of the Senate Committee on Education,

The Democratic Party of Hawaii **supports HB819 HD2 Relating to Bullying**, which requires state and county agencies and grantees that serve youth to adopt bullying prevention policies and also establishes a task force to assist the Governor with bullying prevention policies in the State.

This bill will help ensure the safety and well-being of Hawaii's youth population. Though the legislature, in 2011, took steps to address this issue, since its enactment, it seems to have had little direct effect and needs to be improved and strengthened. We believe HB819 will do just that.

The 2013 Youth Risk Behavior Survey found that approximately one in five Hawaii middle and high school students were bullied at school. This figure is unnecessarily high and goes even higher among students with disabilities. No young person, regardless of gender, disability, nationality, or sexual orientation, should have to experience fear and potential bodily harm while in an educational environment.

We believe this bill takes a comprehensive approach to the problem and encourage you to pass this bill out of your committee.

Thank you for this opportunity to testify,
The Legislation Committee of the Democratic Party of Hawaii



15 March 2015

The Hon. Michelle N. Kidani
Chairman, Senate Committee on Education
State of Hawai'i
Honolulu, HI

Aloha, Chairman and Education Committee Colleagues:

It is my honor to offer this written testimony in support for HB819, the Safe Schools for All Students Act (SSASA), which the committee is scheduled to hear tomorrow afternoon. I write on behalf of Equality Hawai'i, the state's largest political, social justice and advocacy organization for the LGBT community and our allies.

The Legislature took an important step forward in 2011 with passage of Safe Schools Act. But in the years since, we've come to know more intimately that the Safe Schools Act needs to be strengthened significantly to provide the protection and care that children who study in our public schools or who are served by other agencies of the state so fundamentally deserve. The legislation you'll consider tomorrow will do that. Here's how:

- SSASA will create a standard definition of bullying for all public schools, state agencies that serve youth and grantees (including private schools that receive state funds). It will also enumerate the standard characteristics recognized by law elsewhere for which students are commonly bullied, such as race, religious affiliation, gender, sexual orientation and gender identity.
- SSASA mandates annual bullying prevention training for teachers and other staff who deal with youth. Intervening in bullying situations is already a legal requirement for these professionals, and it is our strong position that giving them such a responsibility without ongoing training is unfair to those employees, a potential liability for schools and agencies and, most of all, unacceptable for our children. Through universal training and creating a single bullying standard, we can ensure that no matter which arm of the state or which of our public school campuses are serving our youth, they and their families can expect a consistent, quality standard of response.
- SSASA will mandate creation of a gubernatorial task force that will articulate a model anti-bullying policy for consideration by schools and affected agencies. It will also identify free and low-cost options for bullying prevention/intervention training that will meet the demands of this law and mitigate any strain on training budgets. It's important to know that SSASA would address all of the above in service of all of our keiki.

Equality Hawai'i primarily serves LGBT individuals and interests, and while we recognize that LGBT youth all too often bear a disproportionate share of the bullying burden, we also recognize that a law and policies that provide relief to LGBT youth will be helpful for everyone. It is in that spirit that Equality Hawai'i strongly encourages the members of the House Judiciary Committee to pass this measure so that it may be considered by your colleagues and ultimately become law. Our children and our families deeply appreciate your attention to their safety and wellbeing.

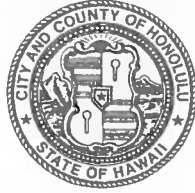
Mahalo,

A handwritten signature in black ink, appearing to read 'Mathew Bellhouse-King', written in a cursive style.

Mathew Bellhouse-King
Co-Chair
Equality Hawai'i

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE RA-YZ

March 16, 2015

The Honorable Michelle N. Kidani, Chair
and Members
Committee on Education
House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Kidani and Members:

SUBJECT: House Bill No. 819, H.D. 2, Relating to Bullying

I am Raymond Ancheta, Major of the Community Affairs Division, Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 819, H.D. 2, Relating to Bullying. The initiatives in this bill will help to curb bullying and cyberbullying in our public schools, including the formation of a task force to develop policies to achieve this objective. However, this bill does not include representation either from law enforcement or the family court, who we believe should participate in this process.

The HPD urges you to support House Bill No. 819, H.D. 2, Relating to Bullying.

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

Sincerely,

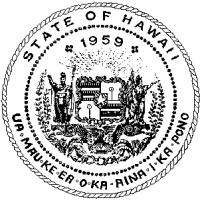
A handwritten signature in black ink, appearing to read "Raymond Ancheta", written over a horizontal line.

Raymond Ancheta, Major
Community Affairs Division

APPROVED:

A handwritten signature in black ink, appearing to read "Louis M. Kealoha", written over a horizontal line.

Louis M. Kealoha
Chief of Police



HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

March 16, 2015
Rm. 229, 1:15 p.m.

To: The Honorable Michelle N. Kidani, Chair
Members of the Senate Committee on Education

From: Linda Hamilton Krieger, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. No. 819, H.D.2

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

The HCRC strongly supports H.B. No. 819 H.D.2.

H.B. No. 819 H.D.2 requires all youth-serving state and county agencies, their contractors, or entities that receive state funding to adopt, maintain, monitor and enforce anti-bullying policies and procedures, establishes a Bullying Prevention Task Force within the Department of Education and prohibits public charter schools from discriminating against a student based on gender identity or expression. The HCRC supports this measure because bullying can be a form a discriminatory harassment and because charter schools should be prohibited from discriminating against students based on their gender identity or expression.

The HCRC strongly supports passage of H.B. No. 819 H.D.2.

From: mailinglist@capitol.hawaii.gov
To: [EDU Testimony](#)
Cc:
Subject: Submitted testimony for HB819 on Mar 16, 2015 13:15PM
Date: Friday, March 13, 2015 11:23:31 AM

HB819

Submitted on: 3/13/2015

Testimony for EDU on Mar 16, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Cate Waidyatilleka	Individual	Comments Only	No

Comments: Thank you but please go further: the bill lacks the language to include suicide prevention, language we found in SB 978 to appropriate funds for anti-bullying and suicide prevention in the DOE. We either encourage you to amend HB 819 HD 2 to include such language or keep it mind for a potential conference committee on this bill or SB 978 if it comes out of the House with amendments.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

DATE: March 16, 2015

TO: The Honorable Chair, Senator Michelle N. Kidani, Honorable Vice Chair, Breene Harimoto, and Members of the Senate Committee on Education

FROM: Cynthia Moore

In **Support** of HB819 HD2, The Safe Schools for All Students Act

The Honorable Chair Kidani, Honorable Vice Chair Harimoto and Members of the Committee:

As a Graduate Student in Social Work at the University of Hawaii at Manoa, a lifelong learner, and a self-identified LGBT individual, I am in support of HB819 HD2, The Safe Schools for All Students Act. I hope you will consider supporting this measure as well.

People who identify as LGBT are often subject to many forms of discrimination, including violence. As an LGBT person and a student, I know how difficult it can be to learn in an environment where the fear of bullying is always in the back of your mind. I strongly support creating safety in schools, where education should take precedence. No child should be subject to discrimination for any reason and we should ensure that our schools are safe to learn in.

In the 2014 Human Rights Campaign State Equality Index, Hawaii was rated as “Building Equality”. This is defined as the following: “These states have marriage equality and have taken steps toward more robust LGBT equality, including passing basic non-discrimination and hate crimes laws. Some lack explicit gender identity protections, and several *lack comprehensive anti-bullying laws*. Several have negative laws, so advocates work to oppose bills that undermine LGBT equality, pass comprehensive non-discrimination, and pass protections for LGBT families and youth.” One specific section detailed in this report that Hawaii lacked was protection for LGBT youth. We must continue to lead the country forward through inclusion and protection for sexual and gender minority adults and children. HB819 HD2 allows us to continue building equality and will help to make Hawai’i a safe place for children to learn.

Discrimination, bullying, and violence can be truly detrimental to a student’s education. Please keep students safe and support an education-focused learning environment in schools by supporting this bill.

Thank you for this opportunity to testify.
Sincerely,
Cynthia Moore

From:
To: Submitted testimony for HB819 on Mar 16, 2015 13:15PM
Cc: Sunday, March 15, 2015 3:50:41 PM
Subject:
Date:

HB819

Submitted on: 3/15/2015

Testimony for EDU on Mar 16, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Eileen McKee	Individual	Support	No

Comments: I strongly support the passage of this bill. Let's make our schools safe for all of our children. Mahalo for your support on this measure.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From:
To:
Cc:
Subject: *Submitted testimony for HB819 on Mar 16, 2015 13:15PM*
Date: Sunday, March 15, 2015 8:44:03 AM

HB819

Submitted on: 3/15/2015

Testimony for EDU on Mar 16, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
James Gauer	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From:
To: Submitted testimony for HB819 on Mar 16, 2015 13:15PM
Cc: Saturday, March 14, 2015 10:31:45 PM
Subject:
Date:

HB819

Submitted on: 3/14/2015

Testimony for EDU on Mar 16, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch	Individual	Support	No

Comments: I strongly support this bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

To: Representative Roy Takumi
Representative Takashi Ohno
Members of the Committee on Education

From: Shawna L. Cooper

RE: House Bill 819 Related to Bullying

I am writing this testimony in strong support of HB 819.

According to the National Center for Statistics, the prevalence of bullying among middle and high school students varies, with estimates up to 54% worldwide. Throughout the United States and Hawaii, bullying continues to be a significant problem for school-aged children. Students are often targeted for racial differences, disabilities or for simply being different. The effects of bullying can have a long-lasting impact and can lead to tragic results. Children who are bullied may suffer from constant fear, academic challenges and health concerns. In some cases, bullying can result in suicide.

I humbly ask that the committee pass this measure. Thank you for the opportunity to provide testimony.

Sincerely,
Shawna L. Cooper