

LATE

DAVID Y. IGE
GOVERNOR



KATHRYN S. MATAYOSHI
SUPERINTENDENT

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

Date: 03/16/2015
Time: 01:15 PM
Location: 229
Committee: Senate Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 0819, HD2 RELATING TO BULLYING.

Purpose of Bill: 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)

Department's Position:

The Department of Education (Department) appreciates the intent of HB 819 HD2. This bill would require all youth-serving agencies and schools that receive state funds to adopt bullying prevention policies to protect youth.

The Department has substantive concerns regarding the proposed amendments to Hawaii Revised Statutes. 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 Hawaii Administrative Rules (HAR) Title 8 Chapter 19, *Student Misconduct, Discipline, School Searches and Seizures, Reporting Offenses, Police Interviews and Arrests, and Restitution for Vandalism*. This HAR governs acts of bullying in the Department. Currently, the bill's proposed language for many definitions, processes and procedures are inconsistent with Chapter 19.

However, should the measure pass in its current form, there are financial considerations the Department must take into account. Thus, the Department is assessing the estimated budgetary needs to support the proposed bullying prevention task force with adequate resources and staff. A cost-impact analysis is also being considered related to the prevention programming, training, investigations, data accountability, and reporting requirements. This measure would require judicious planning, including but not limited to, the implementation of policies, procedures, training of employees and volunteers, age appropriate programs, and notices. While we understand this will be a matter for the Ways and Means Committee to address, we ask for your favorable support as the Department would not have the means to implement this measure within our budget. We request that HB 819 HD2 not replace or adversely impact priorities

indicated in our Executive Budget.

Thank you for the opportunity to testify on this bill.



LATE

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
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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



COMMUNITY CHILDREN'S COUNCIL OF HAWAII
1177 Alakea Street · B-100 · Honolulu · HI · 96813
TEL: (808) 586-5363 · TOLL FREE: 1-800-437-8641 · FAX: (808) 586-5366

LATE

March 16, 2015

Senator Michelle Kidani
Chair Senate Committee on Education – Hawaii State Capitol

RE: HB 819, HD2 - RELATING TO BULLYING

Dear Chair Kidani, Vice-Chair Harimoto, and Members of the Committees,

The 17 Community Children's Councils (CCCs) of Hawaii **strongly supports HB 819, HD2** which requires certain state entities and grantees to adopt bullying prevention policies. Additionally, a task is established to assist the Governor with bullying prevention policies in the State. The CCCs also suggests the inclusion of the following:

- 1) The establishment of a monitoring and reporting system to maintain communication with the Governor and all other stakeholders.

The CCCs are community-based bodies comprised of parents, professionals in both public and private agencies and other interested persons who are concerned with specialized services provided to Hawaii's students. Membership is diverse, voluntary and advisory in nature. The CCCs are in rural and urban communities organized around the Complexes in the Department of Education.

We respectfully request your consideration of **HB819**. Should you have any questions or need additional information, please contact the Community Children's Council Office (CCCO) at 586-5363. Thank you for considering our testimony,

Tom Smith, Co-Chair

Jessica Wong-Sumida, Co-Chair

(Original signatures are on file with the CCCO)

Testimony for HB 819 – March 16, 2015

I submit this testimony as a mother of a daughter who endured the bullying after a violation of her privacy and revenge porn (sexting) by her ex-boyfriend. When she sought help from school authorities, she further endured the wrath and bullying of retaliation from peers, his friends. The last two years of high school were horrible that included extreme pain, humiliation, verbal abuse, and ostracism, resulting in depression, loneliness, self-mutilation and suicide attempts. There was also therapy, constant worry, insecurity, medication to control the pain and depression.

My daughter did attend a private school and I am extremely disappointed this bill does not require private schools to follow the same laws. Children who go to private schools need the same protection that is being provided to public school children with this bill. She is not the only victim of this at her school and we know this has happened at other schools in Hawai'i and across the nation. She lives with the knowledge that the pictures could currently exist in someone's possession that should not have it and may surface at any time. She has been harassed and bullied as a "snitch" when she sought help to stop the spread of the pictures.

While my daughter did make it through high school, there was strong fear that she would not. She is still experiencing the pain and humiliation of rejection by some of this boy's friends; however, being away from the environment has made her stronger. The bullying aspect of revenge porn and sexting has led to depression, anxiety and suicide. There are cases such as Amanda Todd and Rehtaeh Parsons. Those who supported her ex-boyfriend and subjected her to harassment, could have been educated on the wrongdoing of this type of bullying. This law could help prevent others from going through the trauma and pain of her experience.

I urge the committees to support HB 819 and that private schools be addressed in the future or considered "youth-serving agencies".

Thank you for your time and consideration,

Submitted by Cathy Todd

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From: mailinglist@capitol.hawaii.gov
To: [EDU Testimony](#)
Cc:
Subject: Submitted testimony for HB819 on Mar 16, 2015 13:15PM
Date: Monday, March 16, 2015 9:24:23 AM

HB819

Submitted on: 3/16/2015

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

Submitted By	Organization	Testifier Position	Present at Hearing
Jeremy White	Individual	Support	No

Comments: Aloha and mahalo for allowing me to submit testimony on behalf of HB819. I have been a Social Worker for over two decades and have personally seen the destruction caused by bullying, in the lives of our youth. I was personally bullied as an adolescent and attempted suicide twice, partially as a result of this bullying. Fortunately, I was able to endure the bullying and made it through adolescence alive, even though many of the emotional scars remain. However, many of our youth are not so fortunate. I won't quote the statistics on how many youth attempt suicide each year, because I'm sure you've heard that information already. But I will say that one suicide, due to senseless bullying, is one too many. Bullying is something that can be prevented. It is something we can change. But we need laws, like the one provided in HB819, to make it a requirement that schools and other child-serving institutions have bullying prevention policies in place. I strongly urge you to pass HB819 and to require that schools and other agencies that serve our keiki have anti-bullying policies in place. Our children deserve to feel safe in school and in other places where they are served. Mahalo nui, Jeremy White, BSW

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HB819

Submitted on: 3/16/2015

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

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Onderko	Individual	Support	No

Comments:

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HB819

Submitted on: 3/16/2015

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

Submitted By	Organization	Testifier Position	Present at Hearing
Sandrick Cristobal	Individual	Support	No

Comments:

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