

STAND. COM. REP. NO. 3814

Honolulu, Hawaii

APR 23 2018

RE: H.C.R. No. 198
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.C.R. No. 198 entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE HAWAII STATE DEPARTMENT OF EDUCATION REPORT TO THE LEGISLATURE ON ITS COMPLIANCE WITH THE PATSY MINK EQUAL OPPORTUNITY IN EDUCATION ACT AND THE RESOLUTION AGREEMENT BETWEEN THE HAWAII STATE DEPARTMENT OF EDUCATION AND THE UNITED STATES DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS DATED DECEMBER 20, 2017,"

begs leave to report as follows:

The purpose and intent of this measure is to request that the Hawaii State Department of Education report to the Legislature on its compliance with the Patsy Mink Equal Opportunity in Education Act and the resolution agreement between the Hawaii State Department of Education and United States Department of Education Office for Civil Rights dated December 20, 2017.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i State Commission on the Status of Women, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, American Civil Liberties Union of Hawai'i, Domestic Violence Action Center, YWCA O'ahu, Planned Parenthood Votes Northwest and Hawai'i, LGBT Caucus of the Democratic Party of Hawai'i, and two individuals.



Your Committee finds that according to the United States Department of Education Office for Civil Rights, which is responsible for enforcing Title IX, the Hawaii State Department of Education is out of compliance with Title IX. Specifically, the Hawaii State Department of Education was in violation of certain Title IX requirements related to designating and providing notice of a coordinator to carry out Title IX responsibilities, developing and disseminating a notice of nondiscrimination, and providing appropriate grievance procedures to address complaints. As a result, the Hawaii State Department of Education agreed to take multiple steps and actions to come into compliance with Title IX, including committing to various reporting requirements to the United States Department of Education Office for Civil Rights.

Your Committee further finds that participation in after-school sports enhances girls' leadership skills and boosts their success in academic and collegiate achievement, making them more likely to graduate from high school and score higher on standardized tests. However, many girls throughout the State participate in public school sports using inferior sports facilities and without adequate drinking water or restrooms nearby. Therefore, it is essential that the Hawaii State Department of Education uphold the mandates required by Title IX to provide equal access to the benefits of any education program or activity that receives Federal financial assistance.

This measure seeks to ensure the Legislature is kept up to date with the Department of Education's compliance efforts with regard to Title IX.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 198, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 198, S.D. 1.



Respectfully submitted on
behalf of the members of the
Committee on Education,

Michelle N. Kidani

MICHELLE N. KIDANI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* HCR 198	Committee Referral: EDU	Date: 4/16/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIDANI, Michelle N. (C)	X			
KAHELE, Kaiali'i (VC)				X
DELA CRUZ, Donovan M.				X
ESPERO, Will	X			
KIM, Donna Mercado	X			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Will Espero</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes