
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF EDUCATION TO PILOT A NEW PROCESS
FOR SUSPENSIONS FOR THE 2020-2021 SCHOOL YEAR.

1 WHEREAS, school suspensions not only fail to address the
2 root causes of disruptive behavior, but can also lead to future
3 undesirable outcomes for students, including dropping out of
4 school and becoming enmeshed in the criminal justice system; and
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6 WHEREAS, suspensions should only be used as a last resort,
7 only in cases of imminent physical danger, never as punishment,
8 only for valid pedogeological purposes, and only for the time
9 strictly necessary to serve such valid purpose; and
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11 WHEREAS, suspensions include out-of-school, in-school, and
12 ad hoc (part-day) suspensions; and
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14 WHEREAS, suspensions of all types have a profoundly
15 negative impact on students, denying them valuable education
16 time, increasing drop-out rates, and fueling the
17 school-to-prison pipeline; and
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19 WHEREAS, research indicates that the negative effects of
20 exclusionary discipline are more pronounced for males, students
21 of color, and students with disabilities, all groups that have
22 historically experienced higher rates of suspension and
23 expulsion; and
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25 WHEREAS, disparities in the number and length of
26 suspensions across race and disability create even more
27 obstacles to obtaining a quality education; and



1 WHEREAS, students of ethnic or racial minorities do not
2 commit more disciplinable offenses than their peers, but in
3 aggregate they receive substantially more school discipline,
4 with longer and harsher sanctions; and
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6 WHEREAS, suspensions among elementary-level students in
7 particular disrupt a student's relationship with the school and
8 hurt their motivation to learn, the effects of which can be very
9 difficult to overcome; and
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11 WHEREAS, students and their parents often are not informed
12 of their due process rights, including the right to be informed
13 about the details of the suspension, the procedures for
14 contesting a suspension, and for appealing a decision to impose
15 suspension; and
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17 WHEREAS, using positive alternatives to suspension leads to
18 better school outcomes; and
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20 WHEREAS, after implementing alternative discipline methods,
21 several school systems realized large decreases in their rates
22 of suspension, including:
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- 24 (1) California, which saw a forty-six percent drop in
25 suspension rates across its districts over a five-year
26 span;
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- 28 (2) Dekalb County in Georgia, which witnessed a forty-
29 seven percent decrease in discipline rates; and
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- 31 (3) A Baltimore public school system, where an official
32 stated that their school district created "a shift
33 from thinking about behavior management to thinking
34 about building competency among students to regulate
35 their own behavior as well as build social-emotional
36 competencies among adults", with administrators saying
37 that the change resulted in focusing on the underlying
38 causes of student behavior and providing student
39 supports rather than resorting to reactionary,
40 punitive measures; and



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1 WHEREAS, schools and complex areas in the State have the
2 power and responsibility to make schools safe and welcoming
3 learning spaces for Hawaii's public school students; and
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5 WHEREAS, some Hawaii schools are already providing training
6 in restorative justice, positive behavior interventions,
7 trauma-informed care, and conflict resolution for
8 administrators, teachers, and parent liaisons; and
9

10 WHEREAS, principals and administrators in the State already
11 have alternatives to suspension available to them as described
12 in title 8, chapter 19, Hawaii Administrative Rules; and
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14 WHEREAS, principals and administrators can already track
15 the number, length, and type of suspension, as well as the
16 demographic data of the student, and determine if there are
17 disparities in the number, length, and type of suspensions; now,
18 therefore,
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20 BE IT RESOLVED by the House of Representatives of the
21 Thirtieth Legislature of the State of Hawaii, Regular Session of
22 2020, the Senate concurring, that the Department of Education is
23 requested to pilot a new process for suspensions for the
24 2020-2021 school year that:
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- 26 (1) Limits all suspensions to reasons relating to imminent
27 physical threats to a student's self or others;
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- 29 (2) Limits all suspensions to three days or less at the
30 elementary level and five days or less at the middle,
31 intermediate, and high school levels; and
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- 33 (3) Initiates a hearing with a school counselor, teacher,
34 student, guardian, and member of school administration
35 once the suspension determination is made to address
36 the reason for suspension, whether it is an
37 appropriate measure, and if so, prepare a written plan
38 for providing out-of-school educational services to
39 the student and how to best integrate the student back
40 into the classroom as soon as possible; and



1 BE IT FURTHER RESOLVED that if there is a need for a longer
2 suspension, the Department of Education is requested to limit
3 the extension to an additional three days or less at the
4 elementary level and an additional five days or less at the
5 middle, intermediate, and high school levels, with a meeting
6 with a school counselor, teacher, student, guardian, and member
7 of school administration to address the need for the extension
8 and review the progress on the written plan for providing out-
9 of-school educational services to the students and how to best
10 integrate the student back into the classroom as soon as
11 possible; and

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13 BE IT FURTHER RESOLVED that any additional extensions
14 follow this three- and five-day extension meeting procedure; and
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16 BE IT FURTHER RESOLVED that the Department of Education is
17 requested to publish a report of each complex areas efforts,
18 including:

- 19
20 (1) Information on the number, type, and length of
21 suspensions, disaggregated by student demographic data
22 and by school, that were given in that school year;
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24 (2) Any memorandums or standard practice documents issued
25 to Department of Education employees relating to the
26 pilot process; and
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28 (3) What alternatives to suspension were used, if any; and
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30 BE IT FURTHER RESOLVED that the Department of Education is
31 requested to submit the report, including any other findings,
32 recommendations, and proposed legislation, to the Legislature no
33 later than twenty days prior to the convening of the Regular
34 Session of 2022; and



1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution to be transmitted to the Chairperson of
3 the Board of Education and Superintendent of Education.
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OFFERED BY:

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