

MAR - 6 2020

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# SENATE CONCURRENT RESOLUTION

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

1           WHEREAS, suspensions not only fail to address the root  
2 causes of disruptive behavior, but also are related to future  
3 undesirable outcomes such as dropping out of school and becoming  
4 enmeshed in the criminal justice system; and  
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6           WHEREAS, suspensions should never be used as punishment and  
7 should only be used as last resort, in cases of imminent  
8 physical danger, for valid pedogeological purposes, and for the  
9 time strictly necessary to serve such valid purpose; and  
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11           WHEREAS, the definition of suspensions includes out-of-  
12 school, in-school, and 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 school-to-  
17 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 – 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 increased  
27 obstacles to obtaining a quality education; and  
28

29           WHEREAS, students of ethnic or racial minorities do not  
30 commit more disciplinable offenses than their peers, but in  
31 aggregate they receive substantially more school discipline,  
32 with longer and harsher sanctions; and  
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1           WHEREAS, suspensions among elementary-level students in  
2 particular disrupt a student's relationship with the school and  
3 motivation to learn, with effects that are difficult to  
4 overcome; and

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6           WHEREAS, students and their parents often are not informed  
7 of their due process rights—including the right to be informed  
8 about the details of the suspension, the procedures for  
9 contesting such a suspension, and for appealing a decision to  
10 impose suspension; and

11  
12           WHEREAS, using positive alternatives to suspension leads to  
13 better school outcomes; and

14  
15           WHEREAS, after implementing alternative discipline methods,  
16 several school systems realized large decreases in their rates  
17 of suspension; examples include when:

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19           (1) California saw a 46 percent drop across its districts  
20 over a five year span;

21  
22           (2) Dekalb County in Georgia witnessed a 47 percent  
23 decrease in discipline rates;

24  
25           (3) A Baltimore Public School System official testified  
26 their school district created "a shift from thinking  
27 about behavior management to thinking about building  
28 competency among students to regulate their own  
29 behavior as well as build social-emotional  
30 competencies among adults"; and

31  
32           (4) Administrators say the change resulted in focusing on  
33 the underlying causes of student behavior and  
34 providing student supports rather than resorting to  
35 reactionary, punitive measures; and

36  
37           WHEREAS, schools and complex areas have the power and  
38 responsibility to make schools safe and welcoming learning  
39 spaces for Hawaii public school students today; and

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41           WHEREAS, some schools are already providing training in  
42 restorative justice, positive behavior interventions, trauma-



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1 informed care, and conflict resolution for administrators,  
2 teachers, and parent liaisons; and  
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4 WHEREAS, principals and administrators already have  
5 alternatives to suspension in chapter 19 of Title 8, Hawaii  
6 Administrative Rules, available to them; and  
7

8 WHEREAS, principals and administrators can already track  
9 the number, length, type of suspension, and demographic data of  
10 the student; and  
11

12 WHEREAS, principals and administrators can already  
13 determine if there are disparities in the number, length, and  
14 type of suspension; now, therefore,  
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16 BE IT RESOLVED by the Senate of the Thirtieth Legislature  
17 of the State of Hawaii, Regular Session of 2020, the House of  
18 Representatives concurring, that the Department of Education is  
19 requested to:  
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- 21 (1) Limit all suspensions to reasons relating to imminent  
22 physical threats to a student's self or others;  
23
- 24 (2) Limit all suspensions to three days or less at the  
25 elementary level and five days or less at the middle  
26 and high school levels; and  
27
- 28 (3) Initiate a hearing with a school counselor, teacher,  
29 student, guardian, and member of school administration  
30 once the suspension determination is made to address  
31 the reason for suspension, whether it is an  
32 appropriate measure, and if so, prepare a written plan  
33 for providing out-of-school educational services to  
34 the student and how to best integrate the student back  
35 into the classroom as soon as possible; and  
36

37 BE IT FURTHER RESOLVED that if there is a need for a longer  
38 suspension, the Department of Education is requested to limit  
39 the extension to an additional three days or less at the  
40 elementary level and five days or less at the middle and high  
41 school levels, with a meeting with school counselor, teacher,  
42 student, guardian, and member of school administration to



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1 address the need for the extension and review the progress on  
2 the written plan for providing out-of-school educational  
3 services to the students and how to best integrate the student  
4 back into the classroom as soon as possible; and

5  
6 BE IT FURTHER RESOLVED that any additional extensions  
7 follow this three- and five-day extension meeting procedure; and

8  
9 BE IT FURTHER RESOLVED that the Department of Education is  
10 requested to publish a report of each complex area's efforts,  
11 including:

- 12
- 13 (1) Information on how many suspensions, including what  
14 type, length, and number of extensions disaggregated  
15 by student demographic data and by school, were given  
16 in that school year;
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  - 18 (2) Any memoranda or standard practice documents issued to  
19 Department of Education employees; and
  - 20
  - 21 (3) What alternatives to suspension were used; and

22  
23 BE IT FURTHER RESOLVED that the Department of Education is  
24 requested to submit its report to the Legislature no later than  
25 twenty days prior to the convening of the Regular Session of  
26 2022; and

27  
28 BE IT FURTHER RESOLVED that certified copies of this  
29 Concurrent Resolution to be transmitted to the Chairperson of  
30 the Board of Education, Superintendent of Education, Complex  
31 Area Superintendent, or Superintendents of the school complexes  
32 chosen for the pilot.

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OFFERED BY:   
