
SENATE CONCURRENT RESOLUTION

REQUESTING THE HAWAII DEPARTMENT OF EDUCATION TO CREATE A
WORKING GROUP TO DISCUSS AND IMPLEMENT INSTITUTIONAL
CHANGES IN SUSPENSION POLICY AT THE SCHOOL-LEVEL.

1 WHEREAS, studies show that suspensions are not an effective
2 means of improving school functioning and school morale, but
3 have a profoundly negative impact on student behavior,
4 increasing drop-out rates, producing more aggressive behavior
5 because of higher stress levels, denying students valuable
6 education time and burdening the family with their care during
7 school time resulting in job difficulties for parents, and a
8 lack of supervision for the suspended student raising the
9 possibility of the child ending up in the juvenile justice
10 system and fueling the school-to-prison pipeline; and

11
12 WHEREAS, the Department of Education reported to the
13 federal government in its Civil Rights Data Collection
14 (2015-2016) suspension numbers which show that Hawaii has the
15 highest rate in the nation for suspending students with
16 disabilities, and very high rates of suspending Native
17 Hawaiians, which has been shown to affect all students by
18 creating perceptions that their disciplinary environment is less
19 favorable; and

20
21 WHEREAS, the Department of Education says its reporting was
22 inaccurate but has continuously refused and failed to produce
23 new statistics in a way that allows it to state what its actual
24 rate of suspension is for students with disabilities and they
25 have refused to explain why it will not provide this information
26 required by federal law; and

27
28 WHEREAS, there are multiple reports that students with
29 disabilities are sent home from school for a variety of reasons
30 wherein the Department of Education does not call it a
31 suspension and probably does not report it as a suspension -
32 these circumstances include situations where parents are



1 encouraged and pressured to sign the child out as sick although
2 that is not true - which suggests that Department of Education's
3 true suspension rates may be much higher than reported; and
4

5 WHEREAS, the Department of Education has almost unfettered
6 discretion in suspending children from school for long periods
7 of time resulting in disproportionate suspensions of Native
8 Hawaiians and students with disabilities; and
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10 WHEREAS, the Department of Education has shown opposition
11 towards the proposal of reducing the number of suspensions that
12 can be used, explaining that it would not be beneficial for
13 maintaining school safety and limit the administrator's ability
14 to uphold school policy; and
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16 WHEREAS, the State of Hawaii has often led the nation in
17 protecting the rights of children and minorities, such as
18 becoming the third state in the nation to ban corporal
19 punishment in schools, but is now leading the nation in allowing
20 the suspension of students with disabilities and Native
21 Hawaiians; and
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23 WHEREAS, the Department of Education needs to create a new
24 culture wherein suspensions are a last resort for serious safety
25 issues and all reasonable attempts are made to keep children in
26 school, as seen in other states that have begun to utilize
27 restorative educational practices to mitigate group disparities
28 and juvenile delinquency; now, therefore;
29

30 BE IT RESOLVED by the Senate of the Thirtieth Legislature
31 of the State of Hawaii, Regular Session of 2020, the House of
32 Representatives concurring, that the Department of Education is
33 requested to create a working group to discuss and implement
34 institutional changes in school suspension policy, looking at
35 updated suspension data, and drafting ideas for best practices;
36 and
37

38 BE IT FURTHER RESOLVED that the Hawaii Department of
39 Education is requested to convene a working group on suspensions
40 and school exclusion to do the following:
41



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- 1 (1) Evaluate scientific research on the use of suspensions
2 and exclusions of children from school and the effects
3 thereof;
- 4
- 5 (2) Examine other state programs being used to best
6 implement a restorative model through compromise;
7
- 8 (3) Recommend strategies to reduce suspensions and
9 exclusion of students from school; and
- 10
- 11 (4) Determine more appropriate discipline than suspensions
12 and exclusions; and
13

14 BE IT FURTHER RESOLVED that the Superintendent of Education
15 or the Superintendent's designee shall serve as chair and invite
16 to serve as members of the working group a:

- 17
- 18 (1) Principal from a Hawaii Department of Education
19 School;
- 20
- 21 (2) Special education teacher from a Hawaii Department of
22 Education School;
- 23
- 24 (3) Student services coordinator from a Hawaii Department
25 of Education School;
- 26
- 27 (4) General education teacher from a Hawaii Department of
28 Education School;
- 29
- 30 (5) Complex area superintendent from the Hawaii Department
31 of Education;
- 32
- 33 (6) Licensed pediatrician;
- 34
- 35 (7) Representative from a social service agency;
- 36
- 37 (8) Representative from a parent advisory group;
- 38
- 39 (9) Representative from the Special Education Advisory
40 Council;
- 41



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- 1 (10) Representative from the American Civil Liberties
- 2 Union;
- 3
- 4 (11) Representative from the Hawaii Disability Rights
- 5 Center;
- 6
- 7 (12) Representative from the Center on Disability Studies,
- 8 University of Hawaii; and
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- 10 (13) Any other persons that may be invited by the working
- 11 group; and
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13 BE IT FURTHER RESOLVED that the working group shall convene
 14 no later than August 1, 2020; and

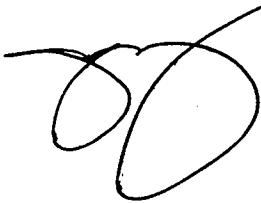
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 16 BE IT FURTHER RESOLVED that the agenda of the first
 17 convening of the working group shall include updated data
 18 reporting from the 2015-2016 Civil Rights Data Collection and
 19 applicable 2017-2018 reporting data; and

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 21 BE IT FURTHER RESOLVED that the working group is requested
 22 to submit a report to the Legislature of its findings and
 23 recommendations, including any proposed legislation, no later
 24 than 30 days prior to the convening of the Regular Session of
 25 2021; and

26
 27 BE IT FURTHER RESOLVED that certified copies of this
 28 Concurrent Resolution shall be transmitted to the Chairperson of
 29 the Board of Education and Superintendent of Education.

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 31
 32


OFFERED BY: Michelle D. Sedani



Barbara DeLoach

DKA

Terrence R. Inouye





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Clarence M. Smith

