

Honolulu, Hawaii

FEB 10 , 2020

RE: H.B. No. 2203  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Lower & Higher Education, to which was referred H.B. No. 2203 entitled:

"A BILL FOR AN ACT RELATING TO DISCIPLINARY ACTIONS IN PUBLIC SCHOOLS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Department of Education to track and publish the use of all exclusionary discipline, disaggregated by student subgroup;
- (2) Eliminate the use of out-of-school suspensions for students in prekindergarten through grade five; and
- (3) Cap the use of out-of-school and in-school suspensions for students in grades six through twelve.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Kauai, AAUW of Hawaii, American Civil Liberties Union of Hawaii, Hawaii Children's Action Network Speaks!, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, Hawaii State Teachers Association, and nine individuals. Your Committee received testimony in opposition to this measure from the Hawaii



Government Employees Association, AFSCME Local 152, AFL-CIO; and numerous individuals. Your Committee received comments on this measure from the Department of Education, Executive Office on Early Learning, Early Learning Board, and Hawaii Disability Rights Center.

Your Committee finds that there are significant public benefits to ensuring that all students have access to a quality education in a welcoming learning environment. The disciplinary practice of excluding children, particularly those children that belong to a protected class, from time, resources, and activities at school has a detrimental public impact. Among the many possible disciplinary interventions and consequences available to school officials, exclusions from school, including out-of-school suspension and in-school suspension, are the most serious. However, your Committee recognizes that school administrators are cautious in the use of exclusionary disciplinary practices, including suspensions, and that these practices are only used as a last resort after other disciplinary options are considered. School administrators recognize the importance and value of student attendance and its impact on student success, but also place safety as the utmost concern on their campuses and for their students.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would restrict the use of out-of-school and in-school suspensions amongst students in grades six through twelve and eliminate the use of out-of-school suspensions for students in prekindergarten through grade five;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2203, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2203, H.D. 1, and be referred to your Committee on Finance.



Respectfully submitted on  
behalf of the members of the  
Committee on Lower & Higher  
Education,

  
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JUSTIN H. WOODSON, Chair



