



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/16/2020
Time: 03:00 PM
Location: 016
Committee: Senate Human Services
Senate Education

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: HB 2483, HD2 RELATING TO BULLYING.

Purpose of Bill: Requires all entities that provide educational or recreational activities to youth to establish, maintain, and enforce written policies and procedures on bullying, harassment, and retaliation, and provide staff with appropriate annual training, regardless of whether the entity receives any government funding. Takes effect on 7/1/2050. (HD2)

Department's Position:

The Department of Education (Department) supports the intent of HB 2483, HD2. The Department is committed to provide training to all school administrators, faculty, and staff on the amended Hawaii Administrative Rule, Chapter 19 Student Misconduct, Discipline, School Searches and Seizures, Reporting Offenses, Police Interviews and Arrests, Restitution for Vandalism, Complaint Procedure and Investigation of Discrimination, Harassment (Including Sexual Harassment), Bullying and/or Retaliation (HAR Chapter 19).

In September 2019, the Board of Education unanimously approved amending HAR Chapter 19 and HAR Chapter 89 Civil Rights Policy and Complaint Procedure for Student(s) Complaints Against Adult(s) (HAR Chapter 89). These rules became effective in January 2020.

HAR Chapter 19 expands the definitions for bullying, harassment, and cyberbullying. New protected class definitions and offenses can also be found in this amended rule. A complaint procedure for bullying, harassment (sexual harassment), discrimination and retaliation was also added. Additionally, a new Behavior Management System was implemented in January 2020 to capture student behavioral incidents.

There were over thirty (30) HAR Chapter 19 and HAR Chapter 89 mandatory training sessions provided to school and district administrators from October 2019 through December 2019. Currently, HAR Chapter 19 and HAR Chapter 89 make-up training sessions are being provided to school and district level administrators and staff.

To ensure the empowerment of student voice, the Department implemented the “Speak Now” anti-bullying mobile application for intermediate and high school students. This mobile application will be made available to elementary students in Fall 2020. The Speak Now mobile application provides students with another mechanism to report incidents of bullying on Department campuses, during transportation and during Department-sponsored activities.

As a note, the Department acknowledges that this measure attempts to make adjustments to Title 10 of HRS - Public Safety and Internal Security. As such, the Department defers to the appropriate state agency for implementation and looks forward to working with them to better safeguard Hawai'i's keiki.

Thank you for the opportunity to provide testimony on HB 2483, HD2.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Rick Collins, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of Hawaii

Big Island Substance Abuse Council

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action Network

Hawaii Health & Harm Reduction Center

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Kokua Ohana Aloha (KOA)

Maui Youth and Family Services

Na Pu'uwai Molokai Native Hawaiian Health Care Systems

P.A.R.E.N.T.S., Inc.

Parents and Children Together (PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the Great Northwest and Hawaiian Islands

Residential Youth Services & Empowerment (RYSE)

Salvation Army Family Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community Center

The Catalyst Group

March 12, 2020

To: Senator Russell Ruderman, Chair
And members of the Committee on Human Services

Senator Michelle Kidani, Chair
And members of the Committee on Education

Testimony Supporting the Intent of HB 2483 HD 2 Related to Bullying

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports the intent of HB 2483 HD 2 Relating to Bullying.

There is no doubt that bullying is a serious issue in our schools and other programs for children and youth and we welcome legislative action that will increase the capacity of schools and service providers to prevent and intervene. In 9 out the past 13 years, bullying has been one the top priorities that participants in the annual Children and Youth Summit feel that the legislature should address.

We agree that all children and youth-serving organizations should have anti-bullying policies and procedures in place and should provide training to staff and volunteers on the topic.

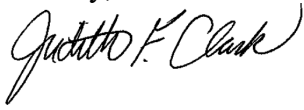
Enforcement of this requirement will be problematic. This bill does not provide any mechanism for determining whether an organization has adopted a bullying policy or provide staff/volunteer training. No government agency is named to monitor compliance and there is no mention in the bill of penalties or actions if a youth-serving organization is not compliant. In short, there is no mechanism for enforcement specified in the bill.

HYSN recommends amendments to the bill to limit the requirement for an anti-bullying policy and training to organizations that have state contracts. Then the state agency issuing the contract could monitor for and enforce compliance.

HYSN page 2

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Judith F. Clark, MPH
Executive Director

HB-2483-HD-2

Submitted on: 3/12/2020 10:45:33 PM

Testimony for HMS on 3/16/2020 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	Testifying for LGBT Caucus of the Democratic Party of Hawaii	Support	No

Comments:

HB-2483-HD-2

Submitted on: 3/12/2020 9:45:54 PM

Testimony for HMS on 3/16/2020 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Naomi Melamed	Individual	Support	No

Comments:

HB-2483-HD-2

Submitted on: 3/13/2020 8:35:01 AM

Testimony for HMS on 3/16/2020 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rynette Keen	Individual	Support	No

Comments:

HB-2483-HD-2

Submitted on: 3/15/2020 11:05:00 PM

Testimony for HMS on 3/16/2020 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Support	No

Comments: