

MAR 11 2022

SENATE RESOLUTION

URGING THE DEPARTMENT OF EDUCATION, STATE PUBLIC CHARTER SCHOOL COMMISSION, AND EACH COUNTY'S POLICE COMMISSION TO COLLABORATE AND DEVELOP GOVERNING PROTOCOLS REGARDING STUDENT DISCIPLINE AND POLICE INVOLVEMENT ON SCHOOL CAMPUSES.

1 WHEREAS, Hawaii is unique in being the only state with a
2 single unified school district; and
3

4 WHEREAS, the Department of Education, State Public Charter
5 School Commission, and each county's police commission lack
6 clear guidelines regarding student discipline and police
7 involvement on school campuses; and
8

9 WHEREAS, the recent police confinement and arrest of a ten-
10 year old African American girl with disabilities at Mililani
11 Elementary School for an offensive and threatening drawing
12 demonstrates the problems that can arise from the lack of clear
13 guidelines; and
14

15 WHEREAS, in 2013, the United States Department of Justice
16 recommended that governing protocols, such as a memorandum of
17 understanding, be established by school districts and police
18 departments to distinguish between student disciplinary
19 misconduct and criminal offenses, and to promote problem-solving
20 policing rather than simply responding to incidents as they
21 occur on campus; and
22

23 WHEREAS, nationwide studies demonstrate that school
24 districts that implement governing protocols with police
25 departments experience forty to seventy percent decreases in
26 student suspensions, expulsions, and arrests, as well as
27 significant increases in student graduation rates; now,
28 therefore,
29
30



1 BE IT RESOLVED by the Senate of the Thirty-first
2 Legislature of the State of Hawaii, Regular Session of 2022,
3 that the Department of Education, State Public Charter School
4 Commission, and each county's police commission are urged to
5 collaborate and develop, no later than August 1, 2022, a
6 memorandum of understanding and other governing protocols, with
7 input and collaboration from child development and justice
8 experts, to:

- 9
- 10 (1) Identify and outline when and how school
11 administrators are to address unacceptable school
12 conduct with available school resources, including
13 counselors, student-teacher response teams,
14 administrators, and security guards;
15
 - 16 (2) Identify and outline when and how police are to be
17 called onto school campus, considering the police's
18 roles for different circumstances;
19
 - 20 (3) Identify and outline when and how police are to
21 interact with students in different age categories of
22 elementary school, middle or intermediate school, and
23 high school, including procedures for questioning
24 students, searching for students, filing a citation or
25 complaint against students, arresting students, and
26 notifying students' parents; and
27
 - 28 (4) Encourage the implementation of restorative justice
29 programs in schools that have proven successful in
30 addressing the needs of victims, holding perpetrators
31 accountable, and educating and empowering bystanders;
32 and
33

34 BE IT FURTHER RESOLVED the Department of Education is
35 requested to submit a report of its findings and
36 recommendations, including any proposed legislation, to the
37 Legislature no later than twenty days prior to the convening of
38 the Regular Session of 2023; and
39
40



S.R. NO. 104

1 BE IT FURTHER RESOLVED that certified copies of this
2 Resolution be transmitted to the Superintendent of Education,
3 Executive Director of the State Public Charter School
4 Commission, and each county's police commission.
5
6
7

OFFERED BY:

Jana Acasio

