



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
KA 'OIHANA HO'ONA'AUAO  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 03/20/2025

**Time:** 10:15 AM

**Location:** 329 VIA VIDEOCONFERENCE

**Committee:** House Human Services &  
Homelessness

**Department:** Education

**Person Testifying:** Keith T. Hayashi, Superintendent of Education

**Resolution Title:** HCR 0107 REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A WORKING GROUP TO DEVELOP MEASURES TO STRENGTHEN PROTECTIONS UNDER TITLE IX.

**Department's Position:**

The Hawai'i State Department of Education (Department) provides comments on HCR 107, which requests the Hawai'i State Commission on the Status of Women to convene a work group to develop measures to strengthen protections under Title IX of the Educational Amendments of 1972 (Title IX). The Department supports the convening of a work group but respectfully offers considerations for any work group convened to contemplate.

The Department is deeply committed to Title IX and the tenets it upholds. The Department understands the Legislature's concerns about movement by the current federal administration to weaken federal civil rights protections, especially in regards to sex and gender-based harassment, and shift responsibility to the states.

As the result of the recent federal court decision that vacated the 2024 Title IX revisions, the Department has implemented the grievance procedures indicated in the 2020 Title IX revisions to address reports and complaints of sexual harassment. Should allegations meet the 2020 Title IX criteria, the grievance process delineated in the 2020 Title IX revisions indicate specific steps that schools are required to facilitate as part of the grievance procedure. The Department recognizes that the 2020 Title IX regulations have raised the criteria for what types of conduct would constitute sexual harassment under Title IX and does not include specific language that encompasses conduct on the basis of gender identity, gender expression, and sexual orientation. Therefore, to ensure that reports of conduct that does not fall within the 2020 Title IX regulations are appropriately addressed, the Department has, and will continue to utilize, other applicable rules and policies. These include Chapter 19 of Title 8 of the Hawai'i Administrative Rules (Chapter 19), Chapter 89 of Title 8 of the

Hawai'i Administrative Rules (Chapter 89), Board of Education Policy 305-10 (BOE Policy 305-10), and Board of Education Policy 900-1 (BOE Policy 900-1). Chapter 19 is primarily used to address situations where both the complainant and respondent are students. Chapter 89 and BOE Policy 305-10 concerns situations where the complainant is a student and the respondent is an employee. BOE Policy 900-1 is utilized in situations where both the complainant and respondent are employees. Chapter 19, Chapter 89, BOE Policy 305-10, and BOE Policy 900-1 all include gender identity, gender expression, and sexual orientation as protected bases. Both Chapter 19 and Chapter 89 indicate brief procedures as to how to address reports of discrimination and harassment. If any recommended legislation resulting from the work group includes changes to definitions and/or procedures, these existing administrative rules will need to be revised for purposes of consistency. Interim procedures will need to be drafted while Chapter 19 and Chapter 89 are revised to reflect any possible changes to definitions and procedures.

Finally, though the Department and University of Hawai'i system are both educational institutions, the needs of their respective student bodies vastly differ. The Department's student body is largely made up of minor children, where policies and procedures appropriate for a post-secondary student body consisting of adults, may not be suitable for the Department. Any recommendations or measures developed by the work group should differentiate procedures for the two systems.

The Department appreciates the Legislature's efforts to ensure that reports of both sex-based harassment (including sexual harassment) and gender-based harassment are appropriately reported and addressed and looks forward to working with the Legislature to achieve this goal.

Thank you for this opportunity to provide testimony on this bill.



# Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission

*Advocating for the Hawai'i LGBTQIA+ Community*



Mailing Address: LGBTQ+ Commission, c/o The Department of Human Services,  
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March 17, 2025

House's Committee on Human Services and Homelessness  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Hearing: Thursday, March 20, 2025

## RE: **Strong Support for House Concurrent Resolution 107 with Requested Amendment**

Aloha Chair Marten, Vice Chair Olds, and committee members,

I am writing in strong support of House Concurrent Resolution 107 on behalf of the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus (LGBTQ+) Commission, which was established by the 2022 Hawai'i State Legislature with the following purpose:

"...to improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community; identify the short- and long-range needs of its members; and ensure that there is an effective means of researching, planning, and advocating for the equity of this population in all aspects of state government."

The Hawai'i State LGBTQ+ Commission submits this testimony in **strong support** of House Concurrent Resolution 107 (HCR 107), which requests the Hawai'i State Commission on the Status of Women to convene a working group to develop measures to strengthen protections under Title IX.

**Title IX remains a critical safeguard against sex-based discrimination, harassment, and violence in federally funded educational institutions.** As the landscape of gender equity and safety continues to evolve, it is imperative that Hawai'i remain proactive in ensuring these protections extend to all students, particularly those who are most vulnerable to discrimination and marginalization.

**The LGBTQIA+ community, particularly transgender, non-binary, and gender-nonconforming students, often experience disproportionately high rates of bullying, harassment, and exclusion in educational settings.** Strengthening Title IX protections is essential to ensuring that all students have equal access to safe and supportive learning environments.

To that end, **we respectfully request an amendment to HCR 107 to include a representative from the Hawai'i State LGBTQ+ Commission as a member of the proposed working group.**

*Proudly established pursuant to Hawai'i Revised Statutes Chapter 369, as enacted through Act 41, Session Laws of Hawai'i 2022*

## HI State LGBTQ+ Commission Testimony in Strong Support of HCR 99

The inclusion of the Hawai'i State LGBTQ+ Commission is vital to:

- Ensuring that the unique challenges and needs of LGBTQ+ students are adequately considered.
- Bringing an intersectional lens to the development of policies that strengthen protections under Title IX.
- Promoting inclusivity and representation in the decision-making process.

Our Commission is uniquely positioned to provide expertise and insight on issues impacting LGBTQ+ individuals and to advocate for policies that advance equity and justice. By including our representation, the working group can ensure that any proposed measures are reflective of the diverse experiences of all students in Hawai'i.

Should you or any member of your staff have any questions regarding this testimony you can reach the Hawai'i State LGBTQ+ Commission at [hawaiiistatelgbtqpluscommission@gmail.com](mailto:hawaiiistatelgbtqpluscommission@gmail.com).

**Mahalo for the opportunity to testify.** We look forward to collaborating on these important efforts to safeguard and strengthen Title IX protections in Hawai'i.

Michael Golojuch, Jr. (he/him)

Vice Chair

[Hawai'i State LGBTQ+ Commission](#)



March 18, 2025

**Position: Support of HR103/HCR107**

**To:** Representative Lisa Marten, Chair  
Representative Ikaika Olds, Vice Chair  
Members of the House Committee on Human Services & Homelessness

**From:** Llasmin Chaîne, LSW, Executive Director, Hawai'i State Commission on the Status of Women

**Re:** Testimony in Support of HR103/HCR107, REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A WORKING GROUP TO DEVELOP MEASURES TO STRENGTHEN PROTECTIONS UNDER TITLE IX.

Hearing: Thursday, March 20, 2025, 10:15 a.m.  
Conference Room 329, State Capitol

On behalf of the Hawai'i State Commission on the Status of Women, I would like to thank the committee for hearing these important resolutions. I would like to express my **support of HR103/HCR107**, REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A WORKING GROUP TO DEVELOP MEASURES TO STRENGTHEN PROTECTIONS UNDER TITLE IX.

Given:

- sexual violence is a highly underreported crime<sup>1</sup>,
- a common strategy amongst sexual offenders is to seek employment and positions of power at youth serving organizations or work with vulnerable populations, in order to facilitate abuse<sup>2</sup>,
- the detrimental effects of child sexual abuse, sexual harassment and assault on well-being<sup>3, 4</sup>, and
- the multiple power disparities that exist between student/teacher, student/coach, and student/professor, which can be leveraged against children and young adults,

I respectfully **urge this Committee to pass HR103/HCR107.**

Sexual violence prevention (SVP) best practices<sup>5</sup> include:

- the implementation of anti-harassment and SVP policies<sup>6</sup>,
- mandatory annual training on:
  - sexual violence (types and impacts upon survivors),
  - prevention strategies,

<sup>1</sup> The Criminal Justice System: Statistics. RAINN. <https://rainn.org/statistics/criminal-justice-system>

<sup>2</sup> Child Sexual Abuse By K-12 School Personnel in Canada – Executive Summary. Canadian Centre for Child Protection. [https://content.c3p.ca/pdfs/C3P\\_CSinSchoolsReport\\_en.pdf](https://content.c3p.ca/pdfs/C3P_CSinSchoolsReport_en.pdf)

<sup>3</sup> About Sexual Violence. CDC – Sexual Violence Prevention. <https://www.cdc.gov/sexual-violence/about/index.html>

<sup>4</sup> Adverse Childhood Experiences (ACEs). CDC. [https://www.cdc.gov/aces/about/index.html#cdc\\_behavioral\\_basics\\_outcomes-outcomes](https://www.cdc.gov/aces/about/index.html#cdc_behavioral_basics_outcomes-outcomes)

<sup>5</sup> About Violence Prevention. CDC – Violence Prevention. <https://www.cdc.gov/violence-prevention/about/index.html>

<sup>6</sup> Program: Rape Prevention and Education Program. CDC – Sexual Violence Prevention. <https://www.cdc.gov/sexual-violence/programs/index.html>

- victim rights, and
- pertinent reporting methods (within an organization and via community providers),
- connecting survivors to local service providers who provide counseling, and assist with police reporting, medical treatment and evidence collection; and
- the provision of protective environments.

The implementation of trauma informed practices and survivor centered policies<sup>7</sup>, helps to ensure students thrive and **decreases the risk that they will develop post-traumatic stress disorder (PTSD) after experiencing incidents of sexual violence**. The sooner they can be assisted with symptom management, emotional regulation, and healthy coping strategy options, the better it is for both their short and long-term recovery trajectories.

Subsequently, **students' safety and wellbeing could be improved as a result of these resolutions**.

I respectfully urge this Committee to pass HR103/HCR107. Thank you for this opportunity to submit testimony.

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<sup>7</sup> Sexual Violence Prevention - Resource for Action, A Compilation of the Best Available Evidence. CDC. [https://www.cdc.gov/violenceprevention/pdf/SV-Prevention-Resource\\_508.pdf#:~:text=These%20strategies%20focus%20on%20promoting%20social%20norms%20that,protective%20environments%3B%20and%20supporting%20victims%2Fsurvivors%20to%20lessen%20harms](https://www.cdc.gov/violenceprevention/pdf/SV-Prevention-Resource_508.pdf#:~:text=These%20strategies%20focus%20on%20promoting%20social%20norms%20that,protective%20environments%3B%20and%20supporting%20victims%2Fsurvivors%20to%20lessen%20harms).



## HCR 107/HR 103, REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A WORKING GROUP TO DEVELOP MEASURES TO STRENGTHEN PROTECTIONS UNDER TITLE IX

MARCH 20, 2025 · HSH HEARING

**POSITION:** Support.

**RATIONALE:** Imua Alliance supports HCR 107/HR 103, which requests the Hawai'i State Commission on the Status of Women to convene a working group to develop measures to strengthen protections under Title IX.

The U.S Department of Education announced in early February that it will officially enforce the 2020 Title IX regulations, enacted during President Donald Trump's first term, weeks after a federal judge struck down new regulations the Biden administration finalized last April. At colleges that had moved forward with implementing the Biden regulations, "open Title IX investigations initiated under the 2024 Title IX Rule should be immediately reoriented to comport fully with the requirements of the 2020 Title IX Rule," according to the new guidance.

Numerous advocates for victims of sexual violence have said this decision puts students at greater risk of sexual violence and harassment. The 2020 regulations have been widely criticized for making it more difficult for victims to report sexual assault and harassment, as well as for implementing due process requirements that favor individuals accused of sexual assault, such as allowing them to cross-examine their accuser, a process that is extremely traumatizing for assault

survivors. Additionally, the regulations limit Title IX's jurisdiction to incidents that take place on campus and more narrowly define sexual harassment than the Biden rule.

As Emma Grasso Levine, senior manager of Title IX policy and programs at Know Your IX, a college sexual violence prevention organization, said in a statement, "The 2020 Title IX rule fails students, who are now at greater risk of harassment and discrimination. This is an incredibly disappointing decision that will leave many survivors of sexual violence, LGBTQ+ students, and pregnant and parenting students without the accommodations critical to their ability to learn and attend class safely."

According to the Rape, Abuse and Incest National Network, the nation's largest anti-sexual violence organization, 11.2 percent of all college students experience rape or sexual assault through physical force, violence, or incapacitation. Among undergraduate students, 23.1 percent of females experience rape or sexual assault through physical force, violence, or incapacitation. This issue is not specific to women, either. Male college-aged students (18-24) are 78 percent more likely than non-students of the same age to be a victim of rape or sexual assault.

Imua Alliance is a service provider for survivors of sex trafficking. Over the past 10 years, we have provided comprehensive direct intervention services to over 200 victims, successfully emancipating them from slavery and assisting in their restoration, while providing a range of targeted services to over 1,000 victims and individuals at risk of sexual exploitation. Many of the victims with whom we work were first exploited while enrolled at of Hawai'i colleges or after experiencing sexual violence during their college years.

As the Trump administration rolls back safeguards for survivors of gender violence, our state has a responsibility to strengthen protections in the islands, so that no survivor is left without care, compassion, and a pathway toward healing and justice.

***Contact us at [imuaalliance.org/contact](https://imuaalliance.org/contact).***





Anna Ezzy  
State Director

March 19, 2025

Hearing Before the Committee on Human Services and Homelessness

Thursday, March 20, 2025

**Testimony on HR103/HCR107**

**Requesting The Hawaii State Commission On The Status Of Women To Convene A Working Group To Develop Measures To Strengthen Protections Under Title IX.**

Aloha Chair Marten, Vice Chair Olds and members of the Committee,

My name is Anna Ezzy, I am a recent alumni of UH Hilo and currently serve as State Director for Every Voice Hawai'i, a student- and survivor-led organization working to address gender-based violence on college campuses. In 2023, our organization supported drafting and successful passage of Act 76 which increases trauma-informed training and gender-based violence prevention measures to improve campus safety and support student survivors in accessing their education.

I am testifying in **SUPPORT of HR103/HCR107** requesting the Hawai'i State Commission on the Status of Women to convene a working group to develop measures to strengthen protections under Title IX. However, we would like to request an amendment to include student body representation in the working group. Since Title IX encompasses gender identity, gender-based violence and pregnant and parenting students, we ask that at least three students with knowledge and lived experiences in these areas are included to represent these diverse needs in the Working Group.

It is important to have student perspectives at the table since negative impacts to education access due to sex-based harassment are often obscured and easily overlooked from the outside. For instance, 4 out of 5 students (81.9%) who experienced gender violence in 2023 did not access UH programs (including Title IX) for help, despite 83.3% of students reporting negative consequences after experiencing this violence. Understanding sex-based discrimination through students' eyes will enable this Working Group to successfully close the gaps where Title IX currently fails to protect students.

The U.S. Department of Education recently reverted to 2020 Title IX rules, making it more difficult for schools to address sex-based discrimination and for survivors to get the protections they need. State-level action is necessary to close gaps in enforcement and guarantee adequate support services for survivors. Strengthening Title IX at the state level through HR103/HCR107 will reinforce Hawai'i's commitment to upholding safe and inclusive learning environments for all students.

Thank you for your time and consideration, and for your commitment to the well-being of Hawai'i's students.

Respectfully,

Anna Ezzy  
State Director  
Every Voice Hawai'i



To: House Committee on Human Services and Homeless  
Hearing Date/Time: Thursday, March 20, 10:15AM  
Place: Hawaii State Capitol, Room 309  
Re: Testimony in STRONG SUPPORT of HCR 107/HR 103

Dear Chair Marten, Vice Chair Olds, and the Members of Committee,

Members of AAUW of Hawai'i thank you for this opportunity to testify in strong support of HCR107/HR103 which requests that the Hawai'i State Commission on the Status of Women convene a working group to develop measures to strengthen protections under Title IX.

The [CDC Youth Risk Behavior Survey](#) reports that 9.1% of high school students in Hawai'i during past 12 months experienced sexual harassment or violence, 17.1% for lesbian/gay/bisexual high school students. The [2023 Report of University of Hawai'i Student Campus Climate Survey on Sexual Harassment and Gender Violence](#) reports 11.4% of survey participants experienced sexual harassment at anytime while enrolled at University of Hawai'i, 9% experienced stalking, 17.1% experienced dating and domestic violence, 6.9% experienced non-consensual sexual contact.

We must strengthen and enforce the protections against sex-based harassment, sexual violence and discrimination in schools. This measure would convene the stakeholders together to strengthen Title IX protections in Hawai'i. **Students are key stakeholders and AAUW of Hawai'i requests that you amend HCR107/HR103 to include a representative from the student body for 7) 8) 9) in addition to a representative from a non-profit/public interest organization.**

Thank you for your consideration.

Sincerely,  
Younghee Overly  
Chair, AAUW of Hawai'i Public Policy Committee

*The American Association of University Women (AAUW) of Hawai'i is an all-volunteer, statewide chapter of a national organization and is made up of six branches: Hilo, Honolulu, Kaua'i, Kona, Maui, and Windward O'ahu. AAUW's mission is to advance gender equity through research, education, and advocacy. Our goal is economic security for women in Hawai'i .*

**To: Committee on Human Services & Homelessness**  
**Thursday, March 20, 2025**

**Re: Testimony in Strong Support of HCR107**

Dear Chair Marten, Vice Chair Olds, and Members of the Committee,

I am writing in strong support of House Concurrent Resolution 107 (HCR107), which calls for the Hawai'i State Commission on the Status of Women to convene a working group focused on strengthening protections under Title IX. This resolution is essential in ensuring that students are protected from sex-based violence and discrimination in schools, a critical human rights and public safety issue.

Sex-based violence in education settings is a pressing crisis. According to reports from the University of Hawai'i and the Hawai'i Department of Education, many incidents of sexual harassment and assault remain unreported due to fear of retaliation, lack of institutional support, and ineffective enforcement of Title IX protections. When schools fail to properly address these issues, survivors suffer mental health struggles, academic decline, and even housing instability, putting them at greater risk of homelessness, poverty, and long-term trauma.

Hawai'i must act now to close the gaps in Title IX enforcement and ensure that all students particularly women, girls, and gender minorities can access education free from violence and discrimination. HCR107 takes a crucial step in strengthening state-level protections by bringing together key stakeholders legal experts, educators, policymakers, and advocates to assess the failures in enforcement and develop stronger policies to keep students safe.

By passing HCR107, this committee can uphold Hawai'i's commitment to protecting human rights and ensuring equal access to education. I urge you to support this resolution and take meaningful action to prevent sex-based violence in our schools.

Mahalo for your time and consideration.

Sincerely,  
Amy Zhao