

**ACT 271**

S.B. NO. 388

A Bill for an Act Relating to Education.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that children living in poverty who have one or more parents incarcerated, are the victims of abuse or neglect, or are

homeless often experience a range of traumatic and toxic stress. This stress can harm the child's brain development and physical, social, mental, emotional, and behavioral health and well-being.

The legislature further finds that in 2013, the Healthcare Association of Hawaii conducted a comprehensive study on Kauai to, among other things, uncover the needs of vulnerable populations, many of which have individuals of native Hawaiian ancestry. The study revealed that teens who drop out of school have a diminished ability to advocate for their own health and wellness compared to their peers still enrolled in school. Compounding this problem is that in 2017, 14.2 per cent of the students in department of education schools dropped out, amounting to 25,546 students.

The legislature finds that since high school dropouts are more likely to experience incarceration and poverty, it is imperative that the department of education identify vulnerable students who are likely to drop out, assess their needs, and provide them with the services they need to succeed.

The purpose of this Act is to require the department of education to establish a task force to create a system for evaluating and assessing all children and those who are exhibiting emergent or persistent behaviors, academic challenges, or chronic absenteeism and are in need of appropriate supports and interventions accessible within the continuum of a multi-tiered system of supports.

**SECTION 2.** (a) The department of education shall establish a task force to create a system for evaluating and assessing all children and those who are exhibiting emergent or persistent behaviors, academic challenges, or chronic absenteeism and are in need of appropriate supports and interventions accessible within the continuum of a multi-tiered system of supports.

- (b) The following individuals shall serve as members of the task force:
  - (1) The superintendent of education or the superintendent's designee, who shall serve as the chairperson of the task force;
  - (2) The director of health or the director's designee;
  - (3) The director of human services or the director's designee;
  - (4) An intermediate or middle school principal or the principal's designee, to be determined by the complex area superintendent;
  - (5) A high school principal or the principal's designee, to be determined by the complex area superintendent;
  - (6) The director of alternative learning programs;
  - (7) The assistant superintendent of the office of student support services or the assistant superintendent's designee;
  - (8) Representatives from the office of student support services, including the multi-tiered system of supports educational specialist and school based behavioral health educational specialist;
  - (9) Two school-level representatives to be determined by the elementary school principal and secondary school principal; and
  - (10) One school based behavioral health educational specialist.

(c) The chairperson shall invite the following community members and organizations to serve as part of the task force and provide a constituent voice and technical and practitioner advisement:

- (1) The executive director of Kinai 'Eha;
- (2) Two representatives from Kinai 'Eha;
- (3) One representative from the strategy and innovation division for Kamehameha Schools;
- (4) One representative from the Hawaii youth correctional facility;
- (5) One representative from the systems change division of the Queen Liliuokalani Trust;

- (6) One representative from the Partners in Development Foundation;
- (7) One representative from Assets School; and
- (8) One representative from Adult Friends for Youth.

(d) Members of the task force shall serve without compensation but shall be reimbursed for reasonable expenses, including travel expenses, incurred in relation to the performance of duties required pursuant to this Act.

(e) The task force shall convene no less than four times a year with the initial meeting of the task force being held no later than September 12, 2019.

(f) The task force shall:

- (1) Consider best practices and evidence-based strategies when reviewing current policies, programs, and assessments and making recommendations for the establishment of protocol to identify students in need of appropriate supports and interventions due to the experience of trauma;
- (2) Identify essential components and promote the use of multi-tiered system of supports innovative evidence-based strategies, research-based approaches, and practices; and review the use of assessments to identify students of trauma;
- (3) Utilize the adverse childhood experiences assessment protocol by coordinating and assembling the strongest components of resources from the department of education and community networks to effectively respond to the challenge of reducing and preventing adverse childhood experiences while providing flexibility for communities and all related agencies to design responses that are appropriate for the children;
- (4) Establish a seventh and ninth grade pilot program for the adverse childhood experiences assessment and identify a complex area for the pilot program; provided that middle school participation is subject to the approval of the complex area's superintendent. The task force shall collect and analyze the data from participating pilot schools and make recommendations regarding the implementation of the adverse childhood experiences assessment statewide;
- (5) Develop a system of data collection and implementation framework for statewide use;
- (6) Aggregate the data within and across agencies to inform treatment interventions, systems responses to trauma, and public policies to address and prevent childhood trauma;
- (7) Examine the evaluation of suspended students to identify and provide services for any social disorder, emotional disorder, or learning difference; and
- (8) Examine lowering the threshold age for alternative or vocational schools from sixteen to fourteen.

(g) The task force shall submit a preliminary report of its findings and recommendations, including any proposed legislation, to the legislature by July 19, 2020.

SECTION 3. This Act shall take effect on July 1, 2019.

(Approved July 9, 2019.)