



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

Date: 02/06/2025

Time: 02:00 PM

Location: 309 VIA VIDEOCONFERENCE

Committee: House Education

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Bill Title: HB 0730 RELATING TO EDUCATION.

Purpose of Bill: Establishes, and appropriates funds for, five full-time equivalent (5.0 FTE) positions within the Civil Rights Compliance Branch of the Department of Education.

Department's Position:

The Department of Education (Department) supports HB 730, which seeks to appropriate funds for five (5) full-time positions within the Civil Rights Compliance Branch (CRCB) of the Office of Talent Management (OTM).

The Department is deeply committed to Title IX of the Educational Amendments of 1972 (Title IX) and the tenets it upholds. The Department is equally committed to other civil rights laws and protections, which are overseen by the CRCB, including Title VI of the Civil Rights Act of 1964 (Title VI), Title VII of the Civil Rights Act of 1964 (Title VII), Section 504 of the Rehabilitation Act of 1973, the American with Disabilities Act (ADA); and the values upheld in those laws.

Due to the invalidation of the 2024 Title IX Regulations by a federal district court ruling on January 9, 2025, the Department reverted to the 2020 Title IX Regulations. These regulations mandate specific due process steps for addressing and investigating sexual harassment reports, requiring separate roles for the Title IX Coordinator, Investigator, and Decision-maker. As a result, at least two Equity Specialists are needed for each case, one for the investigation and another for the decision-making process, leading to an increased workload for the CRCB.

In addition to Title IX investigations, CRCB Equity Specialists handle other protected class investigations, accommodation requests, training, and support for schools and Department offices. They also respond to external agencies regarding discrimination complaints. The CRCB has been managing caseloads and completing investigations and other tasks despite challenges posed by

varying school numbers, geographical differences, demographics, and complaint complexity within each Complex Area.

A 2018 Title IX lawsuit against the Department and the Oahu Interscholastic Association (OIA) resulted in a 2023 Settlement Agreement with specific tasks. The Department established a temporary position for a Gender Equity in Athletics Specialist, who has made significant progress in implementing a new girls' sport and ensuring gender equity in athletics. The Department seeks to convert this position to a permanent one to maintain momentum.

The five (5) positions requested in this measure would be for Equity Specialists: one (1) dedicated to Gender Equity in Athletics and four (4) to manage fluctuating caseloads and ensure timely responses to discrimination allegations, investigations, and accommodation requests.

The Department appreciates the opportunity to provide testimony on HB 730.



To: House Committee on Education
Hearing Date/Time: Thursday, February 6th, 2025 2PM
Place: Hawaii State Capitol, Room 309
Re: Testimony in STRONG SUPPORT of HB730

Dear Chair Woodson, Vice Chair La Chica, and the Members of Committee,

Members of AAUW of Hawai'i thank you for this opportunity to testify in strong support of HB730 which would establish five additional full-time equivalent (FTE) positions with the Civil Rights Compliance Branch (CRCB) of the Hawai'i Department of Education.

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. *We must strengthen and enforce the protections against sex-based harassment, sexual violence and discrimination in schools.*

[Hawai'i DOE's Annual Report](#) on Title IX complaints reports that out of 384 sex-related cases filed in Hawai'i Department of Education schools during the 2023-2024 school year, 330 or 86% were students filing against students. *How these cases are managed impact how youth in Hawai'i view sex-based harassment and sexual violence.*

CRCB received temporary funding to hire a Title IX specialist to develop and implement the plan for gender equity in athletics as a response to the [12/6/2018 federal lawsuit](#) against the Hawai'i Department of Education and the O'ahu Interscholastic Association involving Campbell High School. The specialist already made a positive statewide impact and this position needs to be funded permanently.

CRCB requires additional four FTE staff to better comply with state and federal civil rights laws including Title VI, Title VII, Title IX and the Americans with Disabilities Act to meet the demands of training, investigation, technical assistance, etc..

For these reasons, we strongly support HB730. Thank you for hearing this measure.

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: Representative Justin Woodson, Chair
Representative Trish La Chica, Vice Chair
House Committee on Education

From: Chevelle Davis, MPH - Director of Early Childhood & Health Policy
Hawai'i Children's Action Network Speaks!

Subject: Measure H.B. No. 730 – Relating to Education

Hearing: Thursday, February 6, 2025, at 2:00 PM, Conference Room 309

POSITION: STRONG SUPPORT

Aloha e Chair Woodson, Vice Chair La Chica, and members of the committee:

On behalf of Hawai'i Children's Action Network (HCAN) Speaks!, mahalo for the opportunity to testify in **STRONG SUPPORT of H.B. No. 730**, which seeks to establish and appropriate funds for five full-time equivalent (5.0 FTE) positions within the Civil Rights Compliance Branch (CRCB) of the Hawai'i Department of Education (DOE). Strengthening the CRCB's capacity is crucial to ensuring that all students in Hawai'i's public schools learn in an environment free from sex-based harassment, sexual violence, and discrimination.

According to the Centers for Disease Control and Prevention (CDC) Youth Risk Behavior Survey, 9.1% of high school students in Hawai'i reported experiencing sexual harassment or violence in the past 12 months, with an alarming 17.1% rate for lesbian, gay, and bisexual students. These statistics underscore the urgent need for more robust enforcement of Title IX protections to safeguard all students from discrimination and harm.

Additionally, the Hawai'i DOE's Annual Report on Title IX complaints from the 2023-2024 school year reveals that of the 384 sex-related cases filed in Hawai'i's public schools, 330 (86%) involved students filing complaints against other students. The manner in which these cases are handled significantly impacts how Hawai'i's youth understand and respond to sex-based harassment and sexual violence. Strengthening the CRCB with additional staffing will enhance the DOE's ability to address these cases effectively, ensuring a safer and more just educational environment.

Furthermore, the CRCB previously received temporary funding to hire a Title IX specialist to develop and implement a gender equity plan in athletics. This was a response to the 2018 federal lawsuit against the Hawai'i DOE and the O'ahu Interscholastic Association concerning gender inequities at Campbell High School. The positive statewide impact of this specialist's work demonstrates the necessity of making this position permanent to sustain progress in gender equity in school athletics.

Beyond this, CRCB requires an additional four FTE staff to enhance compliance with state and federal civil rights laws, including Title VI, Title VII, Title IX, and the Americans with Disabilities Act (ADA). These additional positions will enable the DOE to meet growing demands for training, investigation, and technical assistance to schools statewide.

The need for increased CRCB staffing is further amplified by the anticipated rise in Title IX cases with the implementation of new 2024 federal Title IX regulations. These new rules strengthen protections against sex-based harassment and clarify safeguards for LGBTQI+ students, as well as pregnant and parenting students. Without sufficient personnel, the DOE will struggle to meet these evolving legal obligations and provide timely, thorough responses to cases of discrimination and harassment.

For these reasons, **I strongly urge you to pass H.B. No. 730** to establish and fund these five critical positions within the Civil Rights Compliance Branch. Ensuring that our schools are safe, inclusive, and compliant with civil rights protections is essential to the well-being and success of all Hawai'i students.

Mahalo for the opportunity to provide testimony in support of this critical measure.



Fujiwara & Rosenbaum, LLC
1100 Alakea Street, FL 20, STE B
Honolulu, Hawaii 96813

February 5, 2025

Representative Justin Woodson, Chair
Representative Trish La Chica, Vice Chair
House Committee on Education

Re: H.B. 730, Education-Funds for 5 DOE Equity Specialists, SUPPORT
Hearing: Thursday, February 6, 2025, 2 p.m. Conf. Rm. 309

Dear Chair Woodson, Vice-Chair La Chica, and Members of the Committee:

Questions Focusing on Sex Discrimination/Sexual Harassment in our Public Schools

There are two main questions here: Protection and Economics.

Protection: do we care enough about our young girl students to protect them from sex discrimination, sexual harassment and physical/sexual assaults?

Economics: is it better to spend the money on providing for five (5) full-time Equity Specialists who can, *inter alia*, monitor and investigate sex discrimination, especially the prevalent and on-going sexual harassment, or should the DOE face more sex discrimination lawsuits like the Campbell high school debacle?

Right now there are only **two (2) State specialists for Title IX for all 258 schools.**

One specialist is for Title IX in general and the other is for Gender Equity in Athletics, which is apparently just temporary. See, e.g., the Civil Rights Compliance Office (CRCO) website at

<https://www.hawaiipublicschools.org/ConnectWithUs/Organization/Pages/home.aspx>

What does this mean? It means that the sex discrimination, which encompasses the sexual harassment of young girl students all the way up that continuum to sexual assaults, of Hawai'i's children in the public schools, **cannot be adequately addressed and thus, prevented.**

How do I know that this is clearly inadequate? For a couple of reasons: I along with my boss were hired by the DOE in 1977 to specifically enforce **Title IX of the Education Amendments of 1972** in all the public schools.ⁱⁱ The other reason is that I established my law practice in 1986 to specifically address sex and race discrimination. Consequently, I have specialized in sexual harassment cases now for almost 40 years and have been found to be an expert in both state and federal court here.

Forms of Sexual Harassment in Middle and High School: Sexual harassment of high school and middle school girls manifests in various ways, ranging from verbal harassment to physical misconduct and online abuse.

1. Verbal Harassment:

- Sexual comments, jokes, or innuendos
 - Unwanted sexual advances or persistent requests for dates
 - Gender-based slurs or derogatory remarks about appearance
 - Spreading rumors about a girl's sexuality or sexual activity
2. **Physical Harassment:**
- Unwanted touching, groping, or brushing up against someone inappropriately
 - Cornering, blocking, or pressuring a student into physical contact
 - Exposing body parts or forcing someone to look at sexually explicit materials
3. **Online Harassment (Cyber Sexual Harassment):**
- Sending unsolicited sexual messages or images (sexting without consent)
 - Sharing private photos or videos without consent (revenge porn)
 - Doxing or spreading personal information to humiliate or threaten
 - Using social media to harass, shame, or bully students in a sexualized manner
4. **Peer Harassment vs. Authority Harassment:**
- **Peer harassment:** *Often involves boys targeting girls but can and does include same-gender harassment. It may occur in school hallways, locker rooms, classrooms, and online spaces.*
 - **Authority figure harassment:** In rare but severe cases, teachers, coaches, or staff may engage in grooming behaviors, inappropriate relationships, or abuse of power over students.

Differences Between Middle School and High School Harassment

- **Middle School Girls:**
 - More likely to experience unwanted comments, rumors, and social exclusion based on gender or perceived sexuality.
 - Often face early sexualization, body shaming, and pressure to conform to gender stereotypes.
 - Harassment may be framed as "teasing" or "joking," making it difficult for students to report.
- **High School Girls:**
 - More likely to experience direct sexual advances, coercion, and pressure to engage in sexual activity.
 - Increased risks related to dating violence and non-consensual image sharing (e.g., sexting-related blackmail).
 - Greater awareness of power dynamics, including harassment by older students or authority figures.

Impact on Students: sexual harassment significantly impacts middle and high school girls, affecting their mental health, academic performance, and overall well-being. It's prevalence is also a concern,ⁱⁱⁱ because if it is taking place so often and in numerous locations at the school as well as on social media (cyber bullying)^{iv} in a young student's

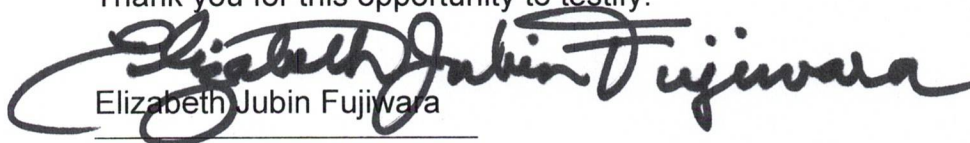
life, it is normalized.

- **Emotional and Psychological Harm:** Anxiety, depression, PTSD, and loss of self-esteem.
- **Academic Consequences:** Avoiding school, dropping classes, declining grades, and withdrawing from extracurricular activities.^v
- **Social Consequences:** Isolation, victim-blaming, and strained relationships with peers and family.
- **Long-Term Consequences:** Research indicates that victims of sexual harassment may suffer from long-term psychological effects, including depression, anxiety, and post-traumatic stress disorder (PTSD). These mental health challenges can persist into adulthood, affecting various aspects of life.

Conclusion

Our law firm is definitely in support of H.B. No. 730. More DOE Equity Specialists can and will address sex discrimination/sexual harassment in schools. Such staffing is crucial to safeguard the mental health and academic success of our female students. By having these Equity Specialists in place, the DOE can have a more realistic ability to better implement comprehensive prevention and response strategies that will definitely help create a safer and more supportive educational environment.

Thank you for this opportunity to testify.



Elizabeth Jubin Fujiwara

ⁱ 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 Hawai'i DOE's Annual Report on Title IX complaints reports that out of 384 sex-related cases filed in Hawai'i Department of Education schools during the 2023-2024 school year, 330 or 86% were students filing against students. **How these cases are managed impact how youth in Hawai'i view sex-based harassment and sexual violence.**

ⁱⁱ Elizabeth Fujiwara and Ira Vanterpool were employed by the Department of Education in 1977 as Staff Specialists to **program and monitor** the DOE's compliance with the several applicable federal laws and regulations in the civil rights area, **especially Title IX of the Education Amendments of 1972**. Plaintiff Vanterpool is an experienced worker in civil rights matters and Plaintiff Fujiwara was the former Executive Director of the local ACLU affiliate. See, e.g., Fujiwara v. Clark, 477 F. Supp. 822 (D. Haw. 1979); Fujiwara v. Clark, 703 F.2d 357 (9th Cir. 1983).

ⁱⁱⁱ A national study by the American Association of University Women (AAUW) found that **nearly half (48%) of students in grades 7–12** experienced some form of sexual harassment. Among those, **87%** reported that the harassment had a negative effect on them.

^{iv} Dr. Dawn Bounds, an Assistant Professor at the University of California, Irvine, emphasizes the severe mental health consequences of online sexual shaming trends, stating, "As with the downside of social media, this trend seems to be another way to bully, shame, or exclude someone, which can have a negative impact on that person's social and mental well-being."

^v The AAUW report also highlighted that 37% of students who experienced harassment did **not want to go to school** as a result, indicating a direct impact on their educational engagement and attendance.

HB-730

Submitted on: 2/4/2025 12:50:12 PM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Olderr	Individual	Support	Written Testimony Only

Comments:

I support this bill

HB-730

Submitted on: 2/4/2025 2:59:01 PM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erika Cabell	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our students from sexual harassment, sexual assault, and gender-based discrimination.

Hearing Date Thursday, February 6, 2025, 1:00 PM, Rm. 309

To: Committee on Education
Representative Justin H. Woodson, Chair
Representative Trish La Chica, Vice Chair

Re: TESTIMONY IN SUPPORT OF HB 730, RELATING TO EDUCATION

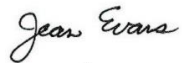
Dear Chair Woodson, Vice Chair La Chica, and the Members of the Committee,

My name is Jean Evans and I am **strong support of HB 730** which will establish five additional full-time equivalent (FTE) positions with the Civil Rights Compliance Branch (CRCB) of the Hawai'i Department of Education.

I support this measure adding needed personnel to protect our students from sexual harassment, sexual assault, and gender-based discrimination.

Please pass this important measure and mahalo for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Jean Evans".

Jean Evans

HB-730

Submitted on: 2/4/2025 3:32:29 PM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Madeline McKenna	Individual	Support	Written Testimony Only

Comments:

I am a woman in a male-dominated career field who has endured and persisted through numerous setbacks due to gender-based discrimination. I support this measure to protect our students from sexual harassment, sexual assault, and gender-based discrimination.

HB-730

Submitted on: 2/4/2025 4:58:42 PM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tara Nash	Individual	Support	Written Testimony Only

Comments:

Aloha Esteemed Committee Members,

I support this measure to protect our students from sexual harassment, sexual assault, and gender-based discrimination. These are not issues that any student should have to face and my great hope is that you will support SB 730 to provide them much needed legislative protection. Thank you for your time and consideration.

HB-730

Submitted on: 2/4/2025 5:06:37 PM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eileen M Gawrys DNP	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our students from sexual harassment, sexual assault, and gender-based discrimination.

HB-730

Submitted on: 2/4/2025 7:36:29 PM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shanae Hatchell	Individual	Support	Written Testimony Only

Comments:

I support.

HB-730

Submitted on: 2/4/2025 10:19:11 PM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
christopher castillo	Individual	Support	Written Testimony Only

Comments:

I support this bill

February 6, 2025

To: Representative Justin Woodson, Chair
Representative Trish La Chica, Vice Chair and
Members of the Committee on Education

From: Jeanne Y. Ohta

RE: HB 730 Relating to Education

POSITION: STRONG SUPPORT

I am writing in strong support of HB 730 Relating to Education that would establish, and appropriate funds for five full-time equivalent (5.0 FTE) positions within the Civil Rights Compliance Branch of the Department of Education (DOE).

I have attended community meetings where parents share that their children have been victims of harassment by other students. They complain about inaction from school authorities while their children must attend school without protection from continued harassment. Parents have expressed that the only way they have to keep their children safe is to change schools. It is the DOE's responsibility to ensure that students feel safe so that they have equal opportunity to receive an education.

The Department of Education's "Annual Report on Title IX Complaints," September 2024,¹ reports that 426 complaints meeting Title IX and Board of Education policies were submitted by students. Knowing that sex-based reports are usually under reported, it is important for the DOE to have sufficient resources to properly handle all complaints. Additionally, all parents and students must have confidence that when they report harassment, action will be taken by trained staff.

The Civil Rights Compliance Branch (CRCB) requires additional staff to better support students who are being harassed and to comply with state and federal civil rights laws including Title VI, Title VII, Title IX and the Americans with Disability Act to meet the demands of training, investigation, and technical assistance.

Thank you for the opportunity to submit my testimony in strong support of this measure. I ask the committee to pass this bill.

¹ https://www.hawaiipublicschools.org/DOE%20Forms/Lege/DOE_REPORT2025_TitleIX.pdf

HB-730

Submitted on: 2/5/2025 5:46:27 AM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Kunitake	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our students from sexual harassment, sexual assault, and gender-based discrimination. Please support HB 730.

HB-730

Submitted on: 2/5/2025 6:02:55 AM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Arthur M Naeole Jr	Individual	Support	Written Testimony Only

Comments:

Aloha,

The treatment of female athletes at Campbell High School is the impetus for this bill. Unfortunately, there are most likely a number of other cases in our schools of discrimination and mistreatment of others based on a variety of factors. Many times those who are trampled over in these situations are voiceless and powerless. In the Bible, in Luke 4:18, Jesus reads a passage from Isaiah which includes the statement of action for Jesus to set the oppressed free. The creation of these additional positions will help to bring light the variety of ways people are being discriminated against, and in follow up it will lead to us living out the call of Jesus to set the oppressed free within our school halls across the state.

I am in support of bill 730. Mahalo for your time and consideration. Ke Akua pū.

HB-730

Submitted on: 2/5/2025 6:03:41 AM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Freudig	Individual	Support	Written Testimony Only

Comments:

Aloha Women's Legislative Caucus,

I fully support HB730 which establishes and appropriates funds for 5 full time equivalent positions within the civil rights compliance branch of the Department of Education. During this current, federal political climate, it's vital that Hawaii retains laws and procedures that protect our schools, students and staff. By establishing and appropriating funds for these positions, we stand a much better chance of ensuring no one's civil rights are abused.

Thank you,

Caroline Freudig, Kaua'i

HB-730

Submitted on: 2/5/2025 8:45:07 AM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joan Johnson	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our students from sexual harassment, sexual assault, and gender-based discrimination.

CRBC requires additional staff to better support the students being harassed and to comply with state and federal civil rights laws including Title VI, Title VII, Title IX and the Americans with Disabilities Act.

Please pass this measure and thank you for your consideration.

HB-730

Submitted on: 2/5/2025 9:13:38 AM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Reid	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-730

Submitted on: 2/5/2025 9:53:00 AM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Support	Written Testimony Only

Comments:

Chair Woodson and Committee Members,

I support HB730.

Thank you,

Teri Kia Savaiinaea

District 45, Wai'anae Resident

HB-730

Submitted on: 2/5/2025 11:33:03 AM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kamuela Werner	Individual	Support	Written Testimony Only

Comments:

Aloha:

I strongly support HB730.

Me ke aloha,

Kamuela Werner

Social Studies and Agriculture Teacher

HB-730

Submitted on: 2/5/2025 11:49:41 AM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donna Soriano	Individual	Support	Written Testimony Only

Comments:

Aloha e,

My name is Donna Soriano and I am an elementary school teacher at a Title I school within our Hawai'i Department of Education.

I have dedicated over ten years to serving our diverse student population, and I am here today to express my strong support for **HB730**, which seeks to establish and appropriate funds for five full-time equivalent (5.0 FTE) positions within the Civil Rights Compliance Branch of the Department of Education.

Throughout my years of teaching, I have witnessed the profound impact that a robust civil rights framework can have on our school environment and, ultimately, on our students' learning experiences. The establishment of additional positions within the Civil Rights Compliance Branch is crucial for ensuring that our schools remain safe, equitable, and inclusive for every child, regardless of their background.

Title I schools, like mine, often serve students from economically disadvantaged backgrounds, and many of our students face unique challenges that can hinder their academic success. By reinforcing our commitment to civil rights compliance, we can address issues such as discrimination, bullying, and inequitable access to resources and opportunities. The proposed positions will enable the Department of Education to provide essential training, support, and guidance to educators and administrators, ensuring that all staff are equipped to uphold the values of equity and respect in our schools.

Moreover, these positions will help to streamline the reporting and resolution of civil rights violations, fostering a culture of accountability and transparency. This is particularly important in our Title I schools, where our students need to feel safe and supported in order to thrive academically and socially. When students see that their rights are being protected and respected, they are more likely to engage with their education and achieve their full potential.

In conclusion, I urge you to support HB730. The addition of these five FTE positions is a vital step toward promoting equity and civil rights in our education system. Together, we can create an environment where every student feels valued and has the opportunity to succeed.

HB-730

Submitted on: 2/5/2025 11:52:17 AM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Debra Yamakawa	Individual	Support	Written Testimony Only

Comments:

I support the hiring of 5 Full Time positions within the Civil Right compliance branch so students, parents and employees of our public schools may have increased access to protection from discrimination, harassment, or bullying and hopefully will have concerns addressed in a more timely manner.

HB-730

Submitted on: 2/5/2025 12:17:13 PM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carolyn O'Mahony	Individual	Support	Written Testimony Only

Comments:

I support this measure that will provide resources for Hawai'i schools to ensure that Title IX mandates are met. There is a proven link between participation in sports and higher self image in teenagers. The proposed resources will lower the hurdles to participation.

HB-730

Submitted on: 2/5/2025 1:18:35 PM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janet Morse	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our students
from sexual harassment, sexual assault, and
gender-based discrimination

I, Ashley Badis, support Hawaii House Bill 730 (HB730). HB730 is necessary because it addresses the long-standing failure of the Hawaii State Department of Education (DOE) to fully comply with Title IX, particularly in high school athletics. Title IX was implemented in Hawaii in 1972 to ensure equal educational opportunities regardless of sex, yet female athletes have continued to face systemic discrimination for decades. As plaintiffs, we did not seek damages through our lawsuit. Instead, we demanded system-wide change and Title IX compliance to end the inequities female athletes faced. It had been over 50 years since Title IX became law in Hawaii—progress should not have taken this long or been this difficult to achieve.

Being students at James Campbell High School (Campbell) and varsity athletes who competed in sports like swimming, water polo, and soccer. We were proud to be student-athletes. What we were not proud of was the blatant inequities female athletes endured at Campbell, which made it clear that the Hawaii State Department of Education (DOE) and the school had failed to meet their responsibilities under Title IX. Year after year, female athletes were treated as second-class citizens compared to their male counterparts.

As female student-athletes at Campbell, we repeatedly witnessed and experienced unequal treatment. These disparities were particularly evident during our time playing water polo. For example, our team's practice facilities were consistently inadequate and poorly managed. Every season, we began without access to a pool on time, often forced to practice alongside competitors. During our 2018 water polo season, parents had to step in to secure a practice facility because the school failed to do so. That same year, we even practiced at a public beach due to the lack of proper facilities.

The lack of institutional support extended to equipment and coaching. Our equipment was often substandard, failing to meet basic safety regulations, and we had no consistent or qualified coaching staff provided by the school. While we deeply appreciated the efforts of community members who volunteered to help us, it was disheartening that the school did not prioritize hiring experienced coaches for female athletes.

The unequal treatment of female athletes was not limited to our team. Other girls' teams at Campbell faced similar challenges. One glaring issue was the lack of a female locker room. Girls had no safe space to store their equipment, change clothes, or shower. Many of us had to carry our gear throughout the school day. After school, girls struggled to find accessible bathrooms, often resorting to relieving themselves in bushes or running to the nearest store to relieve themselves. Meanwhile, boys' practice times were prioritized, and girls were left to practice in suboptimal conditions—such as when the sprinklers were on or when it was too dark because the lights were scheduled to turn off during their practice.

These inequities were not isolated incidents. They were part of a systemic pattern of discrimination that consistently marginalized female athletes. Girls' teams were given fewer resources, less support, and limited opportunities compared to boys' teams. We decided to file

our lawsuit because the treatment of female athletes in high school sports was not just wrong—it was harmful. High school was a critical time for personal growth, self-discovery, and confidence-building. However, the lack of support and equal opportunities for female athletes at Campbell conveyed a harmful message: that as girls, we were not enough. This was how we felt throughout our athletic careers at Campbell, and it was not something we wanted future generations of girls to experience. Title IX compliance should not be the bare minimum, girls should NOT have to fight for the right to play!

I know that HB730 will continue to support our vision of protecting female athletes. This bill will help enforce Title IX compliance, preventing the systemic discrimination that has persisted for decades and ensuring that female athletes receive the same access to resources, facilities, and coaching as their male counterparts. By funding full-time positions within the Civil Rights Compliance Branch, HB730 will create the oversight necessary to hold schools accountable and push for meaningful, lasting change. With this support, future generations of female athletes will not have to fight the same battles we did—they will be able to focus on competing, growing, and excelling in their sports without barriers.

HB-730

Submitted on: 2/5/2025 1:59:17 PM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caron Badis	Individual	Support	Written Testimony Only

Comments:

My name is Caron Badis I am a resident in Ewa Beach and the mother of two former James Campbell High School female athletes. I support bill HB730 as we have had a number of personal experiences in relation to Title IX violations.

In my experience as a parent of female student athletes it was evident that the school system lacked the knowledge of Title IX and what it means to be compliant. This lead to a multitude of violations which eventually resulted in a class action lawsuit.

People often ask what lead our family to filing a lawsuit. I remember the day we decided, it was following a handfull of DOE meetings where they asked female athletes at Campbell High School to share their experiences. That's when we truly learned it wasn't just the Swim and Water Polo teams who were suffering, it was all of the girls teams. The testimonies of the bathrooms being locked on campus forcing girls to urinate in the bushes or having to run down the street to a local store, the young wrestling girls who were walked in on because they had no safe place to do their weigh-ins, the multitude of girls who changed clothes under the bleachers, in teachers closets, classrooms, on the school bus, the girls who had to carry their heavy sports equipment along with their school bags and their lunches all day, the girls who's practices were moved or cancelled so the boys teams could have a second practice, the teams who were almost cancelled because of lack of coaching, the girls who didn't have a pool to practice in so were forced to do land practices and practice in the ocean after the start of their water polo season, all while the football team was sent to Vegas for an off season tournament, and of course the lack of a female athletic locker room. This is just to name a few of the disparities these female athletes experienced, and only at one school. I can only imagine what might be happening statewide.

So why did we file our lawsuit? It was because of all of the reason listed above and to ensure that our future female students receive fare equitable treament and don't suffer like our daughters and their classmates did.

HB730 creates the added protections for Title IX which was brought forth to protect our young female athletes by providing them the same opportunities as their male counter parts.

Hiring Title IX compliance officers will ensure that compliance is reached and followed state wide vs just Campbell High School as per our class action settlement.

LATE

HB-730

Submitted on: 2/5/2025 8:18:38 PM

Testimony for EDN on 2/6/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charmaine Doran	Pearl city MB	Support	Written Testimony Only

Comments:

Thank you for considering this item. Gender equity is one of the most pressing issues facing us today. And while the rest of nation appears to be trying to pull us back into the dark ages, this bill seeks to do the exact opposite. Establishing gender at school will help to ensure our students mature into citizens that demand all are treated fairly.

I commend Representative Reyes Oda for having the foresight and bravery to address this important issue and humbly ask your support of this bill and these positions in the DOE.

HB-730

Submitted on: 2/6/2025 7:49:17 AM

Testimony for EDN on 2/6/2025 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Tammy Holt	Individual	Support	Written Testimony Only

Comments:

Committee on Education
Hawaii State Legislature
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Subject: Testimony in Support of HB 730 – Establishing and Appropriating Funds for Equity Specialists in the Civil Rights Compliance Branch of the Department of Education

Dear Chair Woodson, Vice Chair La Chica, and Members of the Committee,

I am writing in support of 730, which seeks to establish and appropriate funding for five full-time equivalent (5.0 FTE) positions within the Civil Rights Compliance Branch of the Department of Education. This measure is a step toward ensuring that our public education system upholds and enforces state and federal civil rights laws, in the area of gender equity in athletics and broader Title IX compliance.

The December 6, 2018, federal lawsuit against the Department of Education and the Oahu Interscholastic Association addressed a lack of gender equity compliance within our school system. Temporary funding was provided for the hiring of a Title IX specialist, however, this position needs to become permanently funded. Compliance with Title IX and other civil rights protections cannot be treated as a temporary concern but rather as an ongoing commitment.

This bill proposes the establishment of a Civil Rights Compliance Specialist II for gender equity in athletics, as well as four additional equity specialists to serve the most pressing needs of schools statewide. These positions are vital to:

- Conducting thorough reviews of athletic programs to ensure compliance with Title IX.
- Providing technical assistance, training, and policy recommendations to school administrators, athletic directors, coaches, and the public.
- Investigating complaints and ensuring prompt resolution of civil rights violations.
- Overseeing compliance with Title VI, Title VII, the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act.

- Supporting schools in providing reasonable accommodations and language access compliance.

I respectfully urge the committee to pass this bill and provide the necessary funding for these essential positions. Thank you for your time and consideration.

Sincerely,

Tammy Holt
Tammy8707@gmail.com

HB-730

Submitted on: 2/6/2025 7:53:08 AM

Testimony for EDN on 2/6/2025 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Linda Elento	Individual	Comments	Written Testimony Only

Comments:

COMMENTS FOR HB730

* To address the need for additional funds for civil rights compliance and equity positions within the Department of Education and

*** To specify civil rights for students with a disability, who may or may not need special education, and their access to an accommodation, modification, aid, service, opportunity or benefit, and for effective communication.**

In addition to the DOE's responsibility to comply with the Individuals with Disabilities Act (IDEA), the Office of the Superintendent's Monitoring and Compliance Branch and Office of Student Support Services should work in cooperation with offices and staff assigned to train and provide for compliance with Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA) and related laws for qualified **students with disabilities in the DOE and charter schools.**

I believe civil rights of students with disabilities are underestimated, giving a focus on providing special education and related services under the IDEA. These federal and state civil rights laws apply to students who receive special education or elect not to receive special education even though found eligible, and students who are not found eligible. These civil rights are in addition to rights under the IDEA.

In addition to Title III of the Americans with Disabilities Act (ADA), this bill should add **Title II Effective Communication of the ADA to recognize a disabled student's civil rights for means of effective communication.** For example, a student who was born with Down syndrome may have speech difficulties or a delay in language development. One remedy may be providing instruction in both speech and sign language, or simultaneous communication, which is not limited to students who are deaf or hard of hearing. Another remedy may be learning to use an iPad with a text-to-speech app so that a student and communication partners, such as teachers and students, may learn, express and understand. These remedies are examples of a student's choice of mode of communication in order to benefit from **effective communication choices of a student, who may or may not need special education. Relevant caselaw: *KM v. Tustin Unified School District.***

This bill should enable the DOE to partner with the Hawai'i Civil Rights Commission (HCRC) to train and develop plans for accommodations, services and effective communication for **students with disabilities** to access and participate in the DOE's programs and activities (and charter schools) receiving state financial assistance as required in **HRS 368-1.5**.

We need these positions to be specifically funded for protecting the civil rights of students due to disability, and not only for job applicants and employees.

February 6, 2025