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# A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that there is a growing  
2 body of research on the prevalence of school bullying, the  
3 likelihood of school bullies developing antisocial behavior, and  
4 the effects of bullying on student victims. A 2002 United  
5 States Secret Service report found that bullying played a major  
6 role in several school shootings on the mainland.

7           In Hawaii, three newspaper articles in *The Honolulu*  
8 *Advertiser*, dated February 5, 2006, June 28, 2006, and  
9 September 26, 2006, highlighted the problem of bullying in  
10 Hawaii's public schools. The legislature finds that more  
11 attention and awareness needs to be focused by the schools on  
12 bullying.

13           The legislature further finds that the widespread use of  
14 technology has given rise to cyberbullying, which occurs with  
15 greater frequency, in addition to the traditional schoolyard  
16 bullying.



1           The purpose of this Act is to require the department of  
2 education to adopt rules to reduce or prevent school bullying  
3 and cyberbullying in public schools.

4           SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
5 amended by adding a new section to be appropriately designated  
6 and to read as follows:

7           "§302A-    Bullying; rules. The department shall adopt  
8 rules in accordance with chapter 91 to reduce or prevent school  
9 bullying and cyberbullying through the implementation of model  
10 anti-bullying programs. At a minimum, the rules shall include:

11           (1) A prohibition against students bullying other students  
12           on school grounds, property, buses, bus stops and at  
13           school sponsored events and activities;

14           (2) A prohibition against students cyberbullying other  
15           students;

16           (3) A procedure to allow students to confidentially report  
17           to school officials of any incidents of bullying or  
18           cyberbullying;

19           (4) A procedure to allow parents and guardians of students  
20           to submit written reports to school officials of  
21           suspected incidents of bullying or cyberbullying;



- 1        (5) A requirement that department of education employees  
2        report suspected incidents of bullying or  
3        cyberbullying to appropriate school officials;
- 4        (6) A formal process to document reported incidents of  
5        bullying or cyberbullying; provided that no  
6        documentation shall be maintained unless the bullying  
7        or cyberbullying has been substantiated;
- 8        (7) A formal process requiring an investigation by  
9        appropriate school officials of suspected incidents of  
10       bullying or cyberbullying;
- 11       (8) A formal process for reporting incidents of bullying  
12       and cyberbullying to the county police department;
- 13       (9) Disciplinary procedures, including suspension from  
14       school for up to five days, for students who have  
15       admitted to committing or have been found to have  
16       committed bullying or cyberbullying; and
- 17       (10) A procedure that sets forth consequences for  
18       submitting false reports of incidents of bullying or  
19       cyberbullying."

20        SECTION 3. Section 302A-101, Hawaii Revised Statutes, is  
21 amended by adding two new definitions to be appropriately  
22 inserted and to read as follows:



1       "Cyberbullying" means to communicate electronically,  
2 including, communications transmitted through a computer system,  
3 blog, cellular telephone, facsimile, text message, online  
4 community website such as MySpace, computer network, or similar  
5 telecommunication mechanism, without a legitimate purpose but  
6 with the intent to harass, intimidate, taunt, or ridicule a  
7 student.

8       "School bullying" means repeated aggressive behavior or  
9 intentional harm directed at a student that is committed by  
10 another student or group of students. The act of school  
11 bullying includes, physical or verbal abuse, harassment,  
12 intimidation, taunting, and ridicule."

13       SECTION 4. There is appropriated out of the general  
14 revenues of the State of Hawaii the sum of \$                    or so  
15 much thereof as may be necessary for fiscal year 2011-2012 and  
16 the sum of \$                    or so much thereof as may be necessary  
17 for fiscal year 2012-2013 to implement model anti-bullying  
18 programs in schools pursuant to this Act.

19       SECTION 5. The sums appropriated shall be expended by the  
20 department of education for the purposes of this Act.

21       SECTION 6. New statutory material is underscored.



1 SECTION 7. This Act shall take effect on July 1, 2011.

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INTRODUCED BY:

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JAN 21 2011



**Report Title:**

DOE; School Bullying; Model Anti-Bullying Programs;  
Appropriation

**Description:**

Requires the department of education to adopt rules to prohibit school bullying and cyberbullying. Makes appropriation.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

