

LATE TESTIMONY

Date: 03/16/2011

Committee: House Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 934, SD 2 (SSCR 584) Relating to Bullying and Cyberbullying

Purpose of Bill: Establishes a bullying and cyberbullying policy for all public schools. Requires implementation of the policy in all public schools. Establishes bullying and cyberbullying reporting requirements for all public schools. Establishes a misdemeanor offense of bullying or cyberbullying a minor. Defines "bullying" and "cyberbullying". Requires the department of education and the charter school review panel to report to the legislature annually. Effective 7/1/2050.

Department's Position: The Department of Education (Department) supports SB 934, SD 2 (SSCR 584), but would move to highlight concerns with some of the provisions of this bill. The Department does not agree with language that establishes "bullying" as a misdemeanor. Further, Department employees—principals and other employees, should not be tasked with conducting investigations and determining whether instances and/or activities are misdemeanors. Such decisions are best left to those agencies and individuals who have the knowledge and expertise to make appropriate determinations. Employees in the Department should be involved in bullying prevention—working with students, parents, and communities to reduce bullying and cyberbullying.

The Department is fully committed to addressing this critical issue and will continue to work towards ensuring that all schools are responding to instances of bullying and cyberbullying in a manner that is both timely and

proactive. Additionally, the Department is currently working to enhance their student support system to create communities that focus on proactive interventions and supports for all by ensuring that: (1) the provisions of Chapter 19 are implemented with fidelity; (2) all schools demonstrate maintaining a proactive schoolwide student behavior support system to address schoolwide discipline; (3) the school collaborates with its school community to conduct annual training on the prevention of "bullying and harassment" for students, staff, and families; and (4) schools produce a school safety report annually. These efforts will address some of the critical provisions in this bill.

March 16, 2011

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Re: SB934 SD2

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Aloha House Committee on Education Members,

My name is Mohala Gomes and I am a parent who strongly supports SB 934, a bill that is vital toward maintaining and promoting a safe learning environment for all children who are entitled to an education without intimidation by their peers. My deepest desire for Hawai'i's children is for them to excel in their academic endeavors and within a learning environment that assures his or her safety among peers. Constant verbal torment and physical harassment through bullying or cyberbullying causes victims to experience heightened fear and lack of trust in his or her learning environment. As a result, education becomes compromised so that anxiety is minimized. No such sacrifice should have to be made by any student.

Bullying and cyberbullying are serious problems that require zero tolerance and more proactive measures to address and eliminate the risks of serious emotional, psychological, and educational deficiencies. I believe this bill is purposeful and necessary toward minimizing harassment (in any form), providing support to victims, educating students about bullying and cyberbullying, and helping perpetrators who may also be victims as well. Let us remember, "children are like wet cement, whatever falls on them makes an impression (Dr. H. Ginott)." With this bill, the impression we leave for all children is a safe and favorable learning environment.

Mahalo Nui Loa for your time and consideration,

Mohala Gomes