

DAVID Y. IGE
GOVERNOR



KATHRYN S. MATAYOSHI
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/04/2015
Time: 02:00 PM
Location: 309
Committee: House Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 0819 RELATING TO BULLYING.

Purpose of Bill: Requires certain state entities and grantees to adopt bullying prevention policies. Establishes a task force to assist the Governor with bullying prevention policies in the State.

Department's Position:

The Department of Education (Department) appreciates the intent of HB 819. This bill would require all youth-serving agencies and schools that receive state funds to adopt bullying prevention policies to protect youth.

However, the Department has substantive concerns regarding the proposed amendments to Hawaii Revised Statutes. When a student's behavior violates established policies, rules, or regulations of the Department, state or local laws, the Department may take appropriate disciplinary action in accordance with Hawaii Administrative Rules (HAR) Title 8 Chapter 19, *Student Misconduct, Discipline, School Searches and Seizures, Reporting Offenses, Police Interviews and Arrests, and Restitution for Vandalism*. This HAR governs acts of bullying in the Department. Currently, the bill's proposed language for many definitions, processes and procedures are inconsistent with Chapter 19 .

Thank you for the opportunity to testify on this bill.



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
919 ALA MOANA BOULEVARD, ROOM 113
HONOLULU, HAWAII 96814
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 4, 2015

The Honorable Roy Takumi, Chair
House Committee on Education
and
The Honorable Isaac Choy, Chair
House Committee on Higher Education
Twenty-Eighth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Representative Takumi, Representative Choy, and Members of the Committees:

SUBJECT: HB 308 – Relating to Child Safety
HB 819 – Relating to Bullying

The State Council on Developmental Disabilities (DD) **SUPPORTS THE INTENT OF HB 308 and HB 819.** The purpose of the bills is to require all youth-serving agencies, public schools, and public charter schools that receive State funding to establish, maintain, monitor, and enforce policies and procedures related to all forms of bullying and cyberbullying to protect youth in the State.

People with DD are most vulnerable to be bullied. Bullying has been labeled as the leading cause of high suicide rates among our youth. According to the U.S. Centers for Disease Control and Department of Education, Hawaii has the highest rate in the nation of high school students who have made suicide plans.

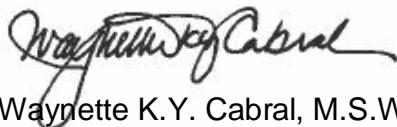
According to the National School Boards Association, currently, Hawaii does have State laws covering anti-bullying. However, Hawaii does not have a State model policy that provides for a Communication Plan, which includes a plan for notifying students, students' families, and staff, of policies related to bullying, including the consequences for engaging in bullying. Nor does it provide Training and Preventive Education, which includes a provision for school districts to provide training for all school staff, including, but not limited to, teachers, aides, support staff, and school bus drivers, on preventing, identifying, and responding to bullying. Without such a policy to provide guidelines, institutions and agencies are not able to effectively address the issues of bullying.

The Honorable Roy Takumi
The Honorable Isaac Choy
Page 2
February 4, 2015

HB 308 and HB 819 address the need for such policies. HB 308 and HB 819, although comprehensive, will be challenging to implement, monitor, and enforce. There is a third anti-bullying bill, HB 396 – Relating to Youth, which appropriates funds to support anti-bullying and suicide prevention efforts in Hawaii's public schools. We respectfully recommend that these three bills be consolidated into one omnibus bill and be the vehicle to move forward during this legislative session.

Thank you for the opportunity to submit testimony **supporting the intent of HB 308 and HB 819.**

Sincerely,



Waynette K.Y. Cabral, M.S.W.
Executive Administrator



Rosie Rowe
Chair

DAVID IGE
GOVERNOR



CATHERINE PAYNE
CHAIRPERSON

STATE OF HAWAII
STATE PUBLIC CHARTER SCHOOL COMMISSION
('AHA KULA HO'ĀMANA)

<http://CharterCommission.Hawaii.Gov>
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813
Tel: 586-3775 Fax: 586-3776

FOR: HB 819 Relating to Bullying
DATE: Wednesday, February 4, 2015
TIME: 2:00 p.m.
COMMITTEE(S): House Committee on Education
ROOM: Conference Room 309
FROM: Tom Hutton, Executive Director
State Public Charter School Commission

Chair Takumi, Vice Chair Ohno, and members of the Committee:

Thank you for the opportunity to submit these written comments on House Bill 819, "Relating to Bullying," which would establish various requirements for public schools and other entities related to the prevention and intervention.

The State Public Charter School Commission ("Commission") is strongly committed to ensuring that all students have safe and supportive learning environments in Hawaii's public charter schools. We would like to bring some considerations to the Committees' attention as they consider these proposals:

- We note that the Commission, as the authorizer of public charter schools, does not provide direct services to youth in any context in which its own adoption of bullying policies, programs, training, and reporting contemplated by the bills would appear relevant.
- The requirements of the proposals may prove administratively challenging for public charter schools, which typically are lightly staffed. The Commission appreciates the role of the proposed task force in making assistance and resources available to schools.

Thank you for your consideration of these comments.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honoluluupd.org



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE RA-YZ

February 4, 2015

The Honorable Roy M. Takumi, Chair
and Members
Committee on Education
The Honorable Isaac W. Choy, Chair
and Members
Committee on Higher Education
State House of Representatives
Hawaii State Capitol, Room 309
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Takumi and Choy and Members:

Subject: House Bill No. 819, Relating to Bullying

I am Raymond Ancheta, Major of the Community Affairs Division, Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 819, Relating to Bullying. The initiatives in this bill will help to curb bullying and cyberbullying in our public schools, including the formation of a task force to develop policies to achieve this objective. However, this bill does not include representation either from law enforcement or the family court, who we believe should participate in this process.

The HPD urges you to support House Bill No. 819, Relating to Bullying.

Thank you for the opportunity to testify in support of this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Raymond Ancheta", is written over a horizontal line.

RAYMOND ANCHETA, Major
Community Affairs Division

APPROVED:

A handwritten signature in black ink, appearing to read "Louis M. Kealoa", is written over a horizontal line.
LOUIS M. KEALOHA
Chief of Police

Serving and Protecting With Aloha

UNIVERSITY OF HAWAII AT MĀNOA

LGBT Student Services Office

TO: House Committee on Education
Conference Room 309
February 4, 2015, 1:30 p.m.

FROM: Camaron Miyamoto,
Coordinator, LGBT Student Services
University of Hawai'i at Mānoa



RE: **STRONG SUPPORT FOR HB819--The Safe Schools for All Students Act.**

Chair Takumi, Vice Chair Ohno and Members of the House Committee on Education:

Thank you for this opportunity to submit written testimony on behalf of the Office of LGBT Student Services at the University of Hawai'i at Mānoa in strong support of for SB845.

While my testimony is not the official stance of the University of Hawai'i, **my testimony is grounded in over 20 years of professional experience here in Hawai'i as a trainer, researcher and advocate in the areas of harassment, non-discrimination and bullying-prevention**; the areas of expertise for which I was awarded tenure as UH Mānoa faculty.

I co-founded the Hawai'i Safe Schools Coalition in 1999, which led the state-wide campaign to successfully add "race, ethnicity, national origin, sexual orientation, disability and religion" to the Department of Education definition of "harassment" in the Chapter 19 administrative rules relating to student misconduct.

In 2009 I worked with the University of Hawai'i Board of Regents to add "gender identity and expression" to the UH Policy of non-discrimination. I continue to conduct research and trainings for the University on bullying prevention, bystander education, and student empowerment.

Today, I encourage you to vote to support The Safe Schools for All Students Act because:

- **92% of registered voters indicated that it is "important" for the state to address bullying**, in a poll conducted by Equality Hawai'i.
- **Students want to focus on learning in the classroom, not looking over their shoulders.**
- **This law will empower existing advocates for students in our schools** and enhance anti-bullying networks and resources in Hawai'i.
- **All students deserve an education free from harassment**, intimidation, bullying or intolerance.

Our educational systems (P-20), must have stronger measures of accountability for institutions and appropriate systems for students in place if we, as a state, intend to stay free from further federal Department of Education inquiry. This is particularly true in relation to LGBTQ and gender-non-conforming young people.

I urge you to take proactive steps today. I ask you to please vote in support of SB845. Mahalo.

GAY LESBIAN BISEXUAL AND TRANSGENDER CAUCUS



DEMOCRATIC PARTY OF HAWAII

Senate Education Committee

Senator Michelle N. Kidani, Chair
Senator Breene Harimoto, Vice Chair
Senate Education Committee
Senator Suzanne Chun Oakland, Chair
Senator Josh Green, Vice Chair

February 4, 2015, 1:30 p.m.
Senate Conference Room CR229

House Committee on Education

Rep. Roy M. Takumi, Chair
Rep. Takashi Ohno, Vice Chair
House Committee on Higher Education
Rep. Isaac W. Choy, Chair
Rep. Linda Ichiyama, Vice Chair

February 4, 2015, 2 p.m.
House Conference Room 309

IN STRONG SUPPORT OF THE SAFE SCHOOLS FOR ALL STUDENTS ACT AS SET FORTH IN PERTINENT PARTS OF THE FOLLOWING BILLS [SB845](#), SB865 and [HB819](#)

In the afternoon of February 4, 2015, four committees in two houses will hear three bills relating to bullying in the schools – all entitled “The Safe Schools for All Students Act.” This demonstrates the intensity of interest and commitment by our legislators to get something done about bullying in the schools. I am reminded of the folk song “Blowin’ in the Wind,” which I paraphrase: “How many deaths will it take ‘til we know that too many students (teachers, counselors, family members, neighbors) have died?” We can no longer let the answer “blow in the wind!”

The DOE has had a policy on its books for decades, yet students still suffer and die. This is primarily because DOE makes student safety an “elective.” It is left to each principal to determine whether or not bullying should be addressed. As a result, poll after poll report unacceptable numbers of bullying incidents and uneven reporting and statistics among the campuses. The DOE 2013 survey of Hawai'i schools reported more than 2,500 incidents of bullying, cyber bullying and harassment. In the same year a survey showed that 20% of high school students reported being bullied on school property, which means that at 2,500 incidents, bullying is being underreported!

Bullying is not just a school problem. It is a societal problem! I remember attending a hearing on bullying in a prior session when the Committee Chair verbally abused a committee member – a no one seemed to notice the irony, because it is the warp and woof of our culture! Times are changing, and we must change with them.

While bullying is a pervasive, national, societal problem it exacts its hardest toll on adolescents – young adults who look to their peers for validation, young adults for whom school and after-school programs make up the vast majority of their current life experience. “Experts also tend to fix blame on factors external to schools: severe mental illness, access to guns, or media violence, especially video games. While these issues surely play a role in the high incidence of such events, we need to ask a more fundamental question: What occurs in schools themselves – the sites, after all, of the shootings – that causes so many students to become unhappy, anxious, depresses, and motivated by rage? THE BULLY SCHOOL by Jessie Klein, New York University Press, 2012, page 1.

It is imperative that we stop blowing answers in the wind and get into action. Therefore, the Gay, Lesbian, Bisexual and Transgender Caucus of the Democratic Party of Hawaii supports the two bills which are most similar, SB845 and HB819, simply to expedite the legislative process. Further, we recommend that language from be incorporated to capture the salient distinguishing parts of SB865, to-wit: 1) an appeal process for a party who is not satisfied with the outcome of an initial investigation; 2) a statement that prohibits retaliation against any person who reports or witnesses incidents of bullying.

Thank you for giving us an opportunity to testify.
Jo-Ann M. Adams, Legislative Liaison

HB819

Submitted on: 2/2/2015

Testimony for EDN on Feb 4, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Tanya Abalos	Hawaii State Teachers Association	Support	No



3 February 2015

The Hon. Roy Takumi
Chairman,
House Committee on Education
State of Hawai'i
Honolulu, HI

Aloha, Mr. Chairman and Education Committee Colleagues:

It is my honor to offer this written testimony in support for HB819, the Safe Schools for All Students Act (SSASA), which the committee is scheduled to hear tomorrow afternoon. I write on behalf of Equality Hawai'i, the state's largest political, social justice and advocacy organization for the LGBT community and our allies.

The Legislature took an important step forward in 2011 with passage of Safe Schools Act. But in the years since, we've come to know more intimately that the Safe Schools Act needs to be strengthened significantly to provide the protection and care that children who study in our public schools or who are served by other agencies of the state so fundamentally deserve. The legislation you'll consider tomorrow will do that. Here's how:

- **SSASA will create a standard definition of bullying for all public schools, state agencies that serve youth and grantees (including private schools that receive state funds).** It will also enumerate the standard characteristics recognized by law elsewhere for which students are commonly bullied, such as race, religious affiliation, gender, sexual orientation and gender identity.
- **SSASA mandates annual bullying prevention training for teachers and other staff who deal with youth.** Intervening in bullying situations is already a legal requirement for these professionals, and it is our strong position that giving them such a responsibility without ongoing training is unfair to those employees, a potential liability for schools and agencies and, most of all, unacceptable for our children. Through universal training and creating a single bullying standard, we can ensure that no matter which arm of the state or which of our public school campuses are serving our youth, they and their families can expect a consistent, quality standard of response.
- **SSASA will mandate creation of a gubernatorial task force that will articulate a model**

anti-bullying policy for consideration by schools and affected agencies. It will also identify free and low-cost options for bullying prevention/intervention training that will meet the demands of this law and mitigate any strain on training budgets.

It's important to know that SSASA would address all of the above in service of **all of our keiki**. Equality Hawai'i primarily serves LGBT individuals and interests, and while we recognize that LGBT youth all too often bear a disproportionate share of the bullying burden, we also recognize that a law and policies that provide relief to LGBT youth will be helpful for everyone.

It is in that spirit that Equality Hawai'i strongly encourages the members of the House Education Committee to pass this measure so that it may be considered by your colleagues and ultimately become law. Our children and our families deeply appreciate your attention to their safety and wellbeing.

Mahalo,

Todd Simmons

Todd Simmons
Executive Director
Equality Hawai'i



HUMAN
RIGHTS
CAMPAIGN®

The Honorable Sen. Michelle Kidani
Chair, Senate Committee on Education
State Capitol, Conf. Room 229
415 South Beretania Street
Honolulu, Hawaii 96813

The Honorable Rep. Roy Takumi
Chair, House Committee on Education
State Capitol, Conf. Room 309
415 South Beretania Street
Honolulu, Hawaii 96813

February 4, 2015

Re: **SUPPORT for HB 819/SB 845, Testimony from the Human Rights Campaign before the House and Senate Committees on Education in support of the Safe Schools for All Students Act.**

Dear Chairperson Kidani and Chairperson Takumi:

The Human Rights Campaign (HRC) is America's largest civil rights organization working to achieve lesbian, gay, bisexual, and transgender (LGBT) equality. By inspiring and engaging all Americans, HRC strives to end discrimination against LGBT citizens and realize a nation that achieves fundamental fairness and equality for all. HRC believes that all youth deserve a safe educational environment that is free of bullying and discrimination on the basis of sexual orientation or gender identity. On behalf of HRC's nearly 6,000 members in Hawaii, we thank you for allowing us to submit testimony in favor of the Safe Schools for All Students Act (HB 819/SB 845), which will protect youth in Hawaii from bullying and discrimination. We urge you to swiftly pass this legislation.

The passage of this anti-bullying legislation is critical to ensure the safety and well-being young people in Hawaii. Bullying and harassment has become a serious public health crisis in our nation's schools. Nationally, sixty-five percent of teens have been verbally or physically harassed or assaulted based on a characteristic that makes them different from some of their peers, like their race, religion, or gender, and sixty-five percent of junior high school teachers report that bullying and harassment is a serious problem in their school.ⁱ In Hawaii in 2013, nearly 19% (1 in 5) of students reported being bullied on school property and more than 15% reported experiencing cyberbullying.ⁱⁱ

Bullying and harassment has often increased adverse effects on marginalized students, including those who identify as LGBT. A national survey of LGBT youth showed that nearly 75% of LGBT students experience verbal or physical harassment in school.ⁱⁱⁱ LGBT students who experienced high levels of victimization were three times as likely to be absent from school and had grades on average a half a grade lower than their peers. Though these statistics reflect the experiences of LGBT students, consequences like absenteeism, lowered educational aspirations and academic achievement, and poorer psychological well-being can affect all students who experience bullying and harassment.



HUMAN
RIGHTS
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Research demonstrates that a crucial part of addressing bullying and harassment in schools is the adoption of enumerated anti-bullying policies, meaning policies that protect all students but that identify characteristics that are commonly targeted for bullying and harassment. Enumeration is necessary to ensure that anti-bullying policies provide protection for marginalized students such as LGBT youth. Students who attend schools with enumerated policies report less bullying and harassment and a higher rate of intervention by teachers when bullying occurs.^{iv} We applaud the sponsors of this legislation for making the Safe Schools for All Students Act as inclusive as possible and for specifically addressing discrimination against students.

The Safe Schools for All Students Act is more comprehensive than the majority of states' anti-bullying legislation because it applies to all youth-serving agencies in Hawaii. This will help ensure that young people feel safe and welcome in parks and in libraries as well as public and charter schools. Moreover, the bill places an emphasis on alternative discipline and preventive education, rather than exclusionary discipline or zero-tolerance policies. This is essential because exclusionary discipline policies do little to make schools safer, and they have an increased negative impact on marginalized students, such youth of color, LGBT youth, and youth with disabilities.^v Finally, the bill creates an implementation task force to ensure that schools and agencies work together to address bullying in a concerted way across Hawaii.

We strongly support the Safe Schools of All Students Act, comprehensive anti-bullying legislation which will help ensure the safety of all youth in Hawaii. If you should have any questions regarding HRC's support for HB 819/SB 845, please contact me at 202-572-8960 or by email at Alison.Gill@hrc.org.

Sincerely,

Alison Gill, Esq.
Senior Legislative Counsel
Human Rights Campaign

ⁱ Harris Interactive and GLSEN (2005). *From Teasing to Torment: School Climate in America, A Survey of Students and Teachers*. New York: GLSEN. Available at

<http://www.glsen.org/sites/default/files/From%20Teasing%20to%20Torment%20Full%20Report.pdf>

ⁱⁱ Centers for Disease Control and Prevention. 2013 Youth Risk Behavior Survey. Available at: www.cdc.gov/yrbbs. Accessed on February 2, 2015.

ⁱⁱⁱ Kosciw, J. G., Greytak, E. A., Palmer, N. A., & Boesen, M. J. (2014). *The 2013 National School Climate Survey: The experiences of lesbian, gay, bisexual and transgender youth in our nation's schools*. New York: GLSEN. Available at

http://www.glsen.org/sites/default/files/2013%20National%20School%20Climate%20Survey%20Full%20Report_0.pdf

^{iv} Id.

^v American Psychological Association Zero Tolerance Task Force (2008). *Are zero tolerance policies effective in the schools? An evidentiary review and recommendations*. *The American psychologist*, 63(9), 852-62.



S E A C
Special Education Advisory Council

919 Ala Moana Blvd., Room 101

Honolulu, HI 96814

Phone: 586-8126 Fax: 586-8129

email: spin@doh.hawaii.gov

February 4, 2015

**Special Education
Advisory Council**

Ms. Ivalee Sinclair, *Chair*
Ms. Martha Guinan, *Vice
Chair*

Ms. Brendelyn Ancheta
Dr. Tammy Bopp
Dr. Robert Campbell
Ms. Deborah Cheeseman
Ms. Annette Cooper
Ms. Shari Dela Cuadra-Larsen,
liaison to the Superintendent
Ms. Gabriele Finn
Ms. Jenny Gong
Ms. Natalie Haggerty
Ms. Barbara Ioli
Ms. Valerie Johnson
Ms. Deborah Kobayakawa
Ms. Bernadette Lane
Ms. Dale Matsuura
Ms. Stacey Oshio
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Ms. Kau'i Rezendes
Ms. Rosie Rowe
Dr. Patricia Sheehy
Mr. Tom Smith
Ms. Lani Solomona
Dr. Daniel Ulrich
Dr. Amy Wiech
Ms. Cari White
Ms. Jasmine Williams
Ms. Susan Wood

Amanda Kaahanui, Staff
Susan Rocco, Staff

Representative Roy M. Takumi, Chair
House Committee on Education
State Capitol
Honolulu, HI 96813

RE: HB 819 - Relating to Bullying

Dear Chair Takumi and Members of the Committee,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **supports the intent** of HB 819 that requires all schools and youth-serving agencies to adopt bullying prevention policies and establishes a task force to assist the Governor in carrying out this legislation.

The latest 2013 Youth Risk Behavior Survey found that roughly one in five middle and high school students in Hawaii were bullied on school property. Students with disabilities are at even greater risk of harm, suffering two to three times more bullying incidents than students without disabilities.

SEAC values the intent of HB 819 to protect youth in a variety of settings. We strongly support more specificity in the bill regarding how the agency policies will be monitored, enforced and their outcomes reported out to the public.

Thank you for the opportunity to provide testimony on this comprehensive legislation. If you have questions or concerns, I would be happy to address them.

Respectfully,

Ivalee Sinclair, Chair

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 702 Honolulu, Hawaii 96813

Phone: (808) 531-2198 Fax: (808) 534-1199

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Daryl Selman, President
Judith F. Clark, Executive Director
Aloha House
American Civil Liberties Union of Hawaii
Bay Clinic, Inc.
Big Brothers Big Sisters of Honolulu
Big Island Substance Abuse Council
Blueprint for Change
Bobby Benson Center
Catholic Charities Hawaii
Child and Family Service
Coalition for a Drug Free Hawaii
Courage House Hawaii
Domestic Violence Action Center
EPIC, Inc.
Family Programs Hawaii
Family Support Hawaii
Hale Kipa, Inc.
Hale 'Opio Kauai, Inc.
Hawaii Behavioral Health
Hawaii Student Television
Healthy Mothers Healthy Babies Coalition
Hina Mauka Teen Care
Hui Malama Learning Center
Kaanalike
Kahi Mohala Behavioral Health
KEY (Kualoa-Heeiea Ecumenical Youth)
Project
Kids Hurt Too
Kokua Kalihi Valley
Life Foundation
Marimed Foundation
Maui Youth and Family Services
Palama Settlement
P.A.R.E.N.T.S., Inc.
Parents and Children Together (PACT)
Planned Parenthood of Hawaii
REAL
Salvation Army Family Intervention Svcs.
Salvation Army Family Treatment Svcs.
Sex Abuse Treatment Center
Susannah Wesley Community Center
The Catalyst Group
The Children's Alliance of Hawaii
Waikiki Health Center
Women Helping Women
YWCA of Kauai

February 2, 2015

To: Representative Roy Takumi, Chair
And members of the Committee on Education

Representative Isaac Choy, Chair
And members of the Committee on Higher Education

TESTIMONY IN SUPPORT OF HB 819 RELATING TO BULLYING

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports HB 819 Relating to Bullying.

For the past 6 years, bullying has been one of the top concerns of the youth who participate in the annual Children and Youth Summit at the State Capitol each October.

According to the Hawaii Youth Behavioral Risk Survey, Hawaii has a low rate of youth violence in almost every area except bullying. The number of youth who have stated that they were afraid to go to school or have missed school due to bullying is much higher than the national average.

Children and youth who are victims of bullying are not able to take full advantage of their educational and recreational opportunities. They are unable to concentrate on their studies, may avoid participation in sports and recreation to avoid contact with bullies, and, in extreme cases, find the bullying so intolerable that they choose suicide as the only way to end it.

HYSN believes that that funding should be allocated to support a comprehensive approach to bullying prevention and intervention that includes:

- Bullying prevention education and character education for children and youth designed to promote peace and harmony and positive ways of resolving disputes;
- Education for parents and community members on how to prevent bullying and respond appropriately;

- Training for educators and students on prevention and intervention skills, and alternative means of dispute resolution;
- Law enforcement involvement only when other means fail.

HYSN has conducted bullying and violence prevention training for youth workers and educators in Hawaii and the Northern Mariana Islands for the past 4 years and is a member of the Anti-Bullying Task Force convened by Senator Suzanne Chun Oakland.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Judith F. Clark". The signature is fluid and cursive, with the first name "Judith" being the most prominent.

Judith F. Clark, MPH
Executive Director



COMMUNITY CHILDREN'S COUNCIL OF HAWAII
1177 Alakea Street • B-100 • Honolulu • HI • 96813
TEL: (808) 586-5363 • TOLL FREE: 1-800-437-8641 • FAX: (808) 586-5366

February 3, 2015

Representative Roy Takumi
Chair House Committee on Education – Hawaii State Capitol
Senator Isaac Choy
Chair House Committee on Higher Education – Hawaii State Capitol

RE: HB819 - RELATING TO BULLYING

Dear Chairs Takumi and Choy, and Vice-Chairs Ohno and Ichiyama, and Members of the Committees,

The 17 Community Children's Councils (CCCs) of Hawaii **strongly supports HB819** which requires certain state entities and grantees to adopt bullying prevention policies. Additionally, a task is established to assist the Governor with bullying prevention policies in the State. The CCCs also suggests the inclusion of the following:

- 1) The establishment of a monitoring and reporting system to maintain communication with the Governor and all other stakeholders.

The CCCs are community-based bodies comprised of parents, professionals in both public and private agencies and other interested persons who are concerned with specialized services provided to Hawaii's students. Membership is diverse, voluntary and advisory in nature. The CCCs are in rural and urban communities organized around the Complexes in the Department of Education.

We respectfully request your consideration of **HB819**. Should you have any questions or need additional information, please contact the Community Children's Council Office (CCCO) at 586-5363. Thank you for considering our testimony,

Tom Smith, Co-Chair

Jessica Wong-Sumida, Co-Chair

(Original signatures are on file with the CCCO)



February 4, 2015

To: Representative Roy Takumi, Chair
Representative Takashi Ohno, Vice Chair and
Members of the Committee on Education

From: Jeanne Y. Ohta, Co-Chair

RE: HB 819 Relating to Bullying
Hearing: Wednesday, February 4, 2015, 2:00 p.m., Room 309

POSITION: Strong Support

The Hawai'i State Democratic Women's Caucus writes in strong support of HB 819 Relating to Bullying.

The Hawai'i State Democratic Women's Caucus is a catalyst for progressive, social, economic, and political change through action on critical issues facing Hawaii's women and girls it is because of this mission that that the caucus strongly supports this measure.

Federal statistics show that one-third of all students experience physical or cyberbullying. Bullying continues to be a problem in our schools.

Our children often face bullying in schools based on race, ethnicity, sexual orientation, gender and gender identity and other common characteristics. This measure will strengthen our current policies and help to provide needed protection for our children so that they may learn in an environment free from intimidation, harassment, and violence. It is our responsibility to provide a safe learning environment.

We ask that the committee pass this measure and we thank the committee for the opportunity to provide testimony.



Hawaii Women's Coalition

COMMITTEE ON EDUCATION

Rep. Roy M. Takumi, Chair

Rep. Takashi Ohno, Vice Chair

COMMITTEE ON HIGHER EDUCATION

Rep. Isaac W. Choy, Chair

Rep. Linda Ichiyama, Vice Chair

DATE: Wednesday, February 04, 2015

TIME: 2:00pm

PLACE: Conference Room 309

Aloha Chairs Takumi and Choy,

The Women's Coalition **supports HB 819** that would address the bullying problems in our schools by requiring certain state entities and grantees to adopt bullying prevention policies. It also takes the prudent step of establishing a task force to assist the Governor with bullying prevention policies in the State.

Sadly bullying is rife in our school systems, too often resulting in violent death by suicide. It seems to us that bullying is part of the larger pattern of violence against women and girls, as well as the LGTB population.

Consider:

- Federal statistics show that one-third of all students experience physical or cyberbullying. We see this issue play out too often in Hawai'i schools, with LGBT students too often paying the price.
- A poll of registered voters around our state released last year by Equality Hawai'i show that 92 percent said it is "important" for the state to take new steps to address bullying.

THE SAFE SCHOOLS FOR ALL STUDENTS ACT recognizes that students often face bullying based on race, ethnicity, sexual orientation, gender and gender identity and other common characteristics and strengthens approaches to training and reporting.

The Women's Coalition and the LGTB community have tried for years to get a law with teeth that would protect our children and young adults to no avail. Let this be the year that we do right by our children.

Mahalo for the opportunity to testify,

Ann S. Freed Co-Chair, Hawai'i Women's Coalition

Contact: annsfreed@gmail.com Phone: 808-623-5676



Committee: Committees on Education and Higher Education
Hearing Date/Time: Wednesday, February 4, 2015, 2:00 p.m.
Place: Conference Room 309
Re: Testimony of the ACLU of Hawaii **with Comments on H.B. 819**, Relating to Bullying

Dear Chair Takumi, Chair Choy, and Members of the Committees on Education and Higher Education:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes with comments on H.B. 819, Relating to Bullying. The ACLU of Hawaii **supports Part III** (amending HRS § 302D-34 to prohibit discrimination based on gender identity and expression in Hawaii’s public charter schools), but believes that Part II, in its current form, is overbroad.

Although the ACLU of Hawaii believes that it is a laudable goal to eradicate bullying in public schools, we respectfully submit that H.B. 819 takes an overbroad approach. Although titled the “Safe Schools Act,” the proposed bill is far more reaching in scope. H.B. 819 requires, among other things, that any “agency” or “grantee” that provides services to youth must develop and implement various bullying prevention programs and reporting requirements. By its terms, the bill could apply to nearly every state agency and a multitude of grantees. If passed, the bill would result in scores of bullying prevention programs and reporting requirements that could vary in great degree and provide little certainty to youth about prohibited behaviors and consequences.

The ACLU of Hawaii would, however, support a more focused anti-bullying bill limited to the Department of Education to address bullying in state public and public charter schools. A more focused bill would be far more advantageous (and ultimately more successful) in preventing bullying behavior in Hawaii’s public schools.

Thank you for this opportunity to testify.

Daniel M. Gluck
Legal Director
ACLU of Hawaii

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for 50 years.

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TESTIMONY FOR HOUSE BILL 819, RELATING TO BULLYING

House Committee on Education

Hon. Roy M. Takumi, Chair

Hon. Takashi Ohno, Vice Chair

Wednesday, February 4, 2015, 2:00 PM

State Capitol, Conference Room 309

Honorable Chair Takumi and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 300 local members. On behalf of our members, we offer this testimony in support of House Bill 819, relating to bullying.

In a 2013 Qmark Research poll conducted on behalf of Equality Hawaii Foundation, 57 percent of registered voters said that they have been impacted by bullying. Many of those surveyed indicated having been bullied as youth. In 2012, from the start of the public school year to mid-December, there were 541 reported incidents of bullying, 94 cyberbullying incidents and 1,871 incidents involving harassment, according to statistics reported to the Hawaii State Board of Education. That year, students in the Aiea-Moanalua-Radford complex comprised 9 percent of state enrollment, but 12 percent of reported bullying incidents. Another 11 percent of reported bullying incidents occurred in the Honokaa-Kealahou-Kohala-Konawaena complex, which has 5.8 percent of Hawaii's public school students. Moreover, some districts, like Hilo-Waiakea and Nanakuli-Waianae, reported no incidents of cyberbullying, raising questions about monitoring and compliance. In departmental surveys, 1 in 6 Hawaii high school students say that they have been bullied online or via text messages, while 20 percent reporting being bullied on school property. Nearly one-fourth of Hawaii middle-school students say they have been victims of cyberbullying and 41 percent reported being bullied at school.

Bullying precipitates depression and anxiety, increased feelings of sadness and loneliness, changes in sleep and eating patterns, loss of interest in enjoyable activities, health complaints, and decreased academic achievement. Bullied students are more likely to have subpar grade point averages and standardized test scores, lower levels of class participation, and increased rates of absenteeism and dropping out. Local teenagers turn to suicide as a solution to their problems at a level that has more than doubled over the past five years. According to the national *2013 Youth Risk Behavior Survey*, Hawai'i high school students had the seventh highest self-

reported prevalence of considering suicide, making a plan to commit suicide, and attempting suicide.

We must do all we can to end the cycle of bullying and self-harm. Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

HB819

Submitted on: 2/3/2015

Testimony for EDN on Feb 4, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Rob Hatch	Honolulu Pride	Support	Yes

Comments: Our students job is to go to school - they should have the same protects that they would have in a work setting this bill is step in the right direction!



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February 3, 2015

Senate Committee on Education

RE: HB 819 – Safe Schools/Bullying

IN STRONG SUPPORT

Aloha Chair, Vice Chair and Members,

As President of Rainbow Family 808, a group of straight, LGBT families focused on peace and justice through education, we strongly SUPPORT HB 819 because all students and minors have a right to a safe, harassment free environment, especially in schools and on school property.

Since 1995, I have been advocating as a Social Worker for Safe Schools and Zero Tolerance in Hawaii. While there exists anti-bullying policies on DOE literature, the criminal violation of Safe Schools go touched. As a substitute teacher for 5 years, I saw first hand these violations from Waipahu High to Nanakuli High. I documented every violation until I decided that my own personal safety was at risk and I left Substituting.

Rainbow Family 808 STRONGLY SUPPORT HB 819 in a speedy and just manor.

Mahalo nui loa

Carolyn Martinez Golojuch, MSW - President

HB819

Submitted on: 2/2/2015

Testimony for EDN on Feb 4, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Dana G. Moss	Individual	Support	No

Comments: Please pass this, Thank You.

HB819

Submitted on: 2/2/2015

Testimony for EDN on Feb 4, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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HB819

Submitted on: 2/2/2015

Testimony for EDN on Feb 4, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
John Berger	Individual	Support	No

Comments: Chair and Committee Members: I fully support HB 819. I was bullied in high school. Fortunately, I was fully integrated in school and had a number of close friends. Not everyone is so lucky. However, to this day I can remember the name of every person who bullied me and every hurtful word they said as if the words were said yesterday (I graduated 40 years ago). Children need support and the school ought to be there. For some children, it is the only support they have. Thank you for your efforts, time and attention to this very real problem.

HB819

Submitted on: 2/2/2015

Testimony for EDN on Feb 4, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Rita Nasario	Individual	Support	No

Dear House Education,

Will you please forward this statement of support to the appropriate person or committee.

Thank you,

Steven DeMaggio

"A child who is bullied because of sexual orientation, or *perceived* sexual orientation, often has no one to turn to for support – family, clergy, or friends, who often hold anti-LGBT views themselves. It is most important that schools take up the slack.

I heartily support both SB845 and HB845.

Steven DeMaggio, MSW"

Bill HB819 relates to bullying. HB819 is trying to permanently STOP bullying in public/public charter schools. This bully prevention bill states that "all students have the right to participate in the fully educational process free from bullying/cyberbullying.", "enforces policies and procedures related to all forms of bullying and cyberbullying to protect youth in the state of Hawaii." etc. I also support this bill because the consequences are perfectly fair and agreeable with the staff/students/parents.

In conclusion I think that Bill HB819 should be passed through and enforced throughout all of the schools in the state of Hawaii.

HB819

Submitted on: 2/3/2015

Testimony for EDN on Feb 4, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
kaleo	Individual	Support	No

Comments: i support this bill. We don't need bullying. Hawaii has tons of fights during school. This bullying thing needs to end. Hawaii should have a anti bully system mainly for kids thats getting picked on by kids older, stronger, and taller. There can be a program where students go to stay away from bully[s]. I believe if you support this bill we can make better Hawaii from bullying.

HB819

Submitted on: 2/3/2015

Testimony for EDN on Feb 4, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Smith	Individual	Support	No

Comments: Dear Chair Takumi, Vice Chair Ohno, and Members of the Education Committee: I submit testimony in strong support of HB819 and endorse any and all edits and amendments recommended by Equality Hawaii. While I expect that students may sometimes be cruel to each other, I, as a parent, also naturally expect that school administrators and teachers want to do their best to create and maintain a culture of tolerance - a tolerance for diversity, not cruelty and abuse. Despite their good intentions, many lack the tools and support to do so. This bill puts into place a framework that helps staff recognize biases (even possibly their own) and respond to instances of bullying. As a mom, I am concerned that my son may not feel comfortable or safe reporting any abuse he eventually might encounter at school - whether it's because of any characteristic attributed to him or even his own parents. A school system that is sincere and unambiguous about its intolerance for bullying deflects the impression of complicity, which, in effect, teaches students that bullying is ok. This bill is a big step toward creating safer learning environments and sends a strong message to students, parents, and staff that our schools and our state take bullying seriously. Sincerely, Valerie Smith, Hawaii Kai v.smith@mac.com

LATE

HB819

Submitted on: 2/4/2015

Testimony for EDN on Feb 4, 2015 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Campagna	Individual	Support	No

Comments: I was the victim of bullying in school. There were immediate and lasting consequences for me. As a mother I don't think anything should stand in the way of my child achieving academic success and the idea that a bully could be that obstacle is galling. There is no room in my child's academic day for social abuse.