HOUSE OF REPRESENTATIVES TWENTY-NINTH LEGISLATURE, 2018 STATE OF HAWAII H.C.R. NO. 198

HOUSE CONCURRENT RESOLUTION

REQUESTING THAT THE HAWAII STATE DEPARTMENT OF EDUCATION REPORT TO THE LEGISLATURE ON ITS COMPLIANCE WITH THE PATSY MINK EQUAL OPPORTUNITY IN EDUCATION ACT AND THE RESOLUTION AGREEMENT BETWEEN THE HAWAII STATE DEPARTMENT OF EDUCATION AND THE UNITED STATES DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS DATED DECEMBER 20, 2017.

WHEREAS, Title IX of the federal Education Amendments of 1 1972, renamed in 2002 as the Patsy T. Mink Equal Opportunity in 2 Education Act in honor of its principal author, Patsy Takemoto 3 Mink, former Congresswoman from Hawaii, states that "No person 4 in the United States shall, on the basis of sex, be excluded 5 from participation in, be denied the benefits of, or be 6 subjected to discrimination under any education program or 7 activity receiving Federal financial assistance..."; and 8

WHEREAS, according to the United States Department of
Education Office for Civil Rights, which is responsible for
enforcing Title IX, the Hawaii State Department of Education is
out of compliance with Title IX; and

15 WHEREAS, specifically, the United States Office for Civil 16 Rights, in a January 19, 2018, letter to the Hawaii State 17 Department of Education, found that the department was in 18 violation of the following Title IX requirements: 19 20 (1) Designating a coordinator to carry out Title IX

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-) Designating a coordinator to carry out Title IX responsibilities and providing notice of the coordinator to students and employees;
- (2) Developing and disseminating a notice of nondiscrimination; and
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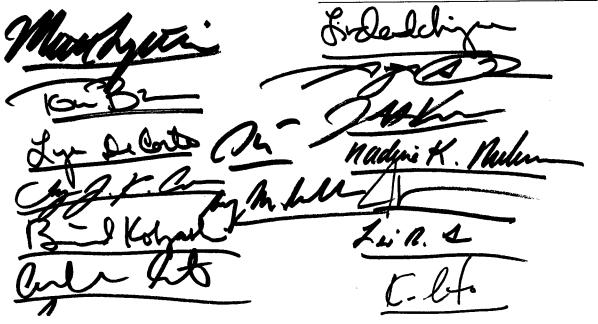
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Providing appropriate grievance procedures to address (3) 1 complaints; and 2 3 WHEREAS, participation in after-school sports enhances 4 girls' leadership skills and boosts their success in academic 5 and collegiate achievement, making them more likely to graduate 6 from high school and score higher on standardized tests; and 7 8 WHEREAS, eight of the twenty-three high schools on Oahu 9 lack separate athletic locker facilities for girls, even though 10 they have athletic locker facilities for boys, including 11 Campbell High School, the largest public school in the State 12 with 3,200 students; and 13 14 WHEREAS, two out of the ten high schools on Hawaii Island, 15 two of the five high schools on Maui, and one of the three high 16 schools on Kauai also do not have separate athletic locker 17 facilities for girls, even though they have athletic locker 18 facilities for boys; and 19 20 WHEREAS, many girls throughout the State must participate 21 in public school sports using inferior sports facilities and 22 without adequate drinking water or restrooms nearby; and 23 24 WHEREAS, the Hawaii State Department of Education entered 25 into a Resolution Agreement with the United States Department of 26 Education Office for Civil Rights, dated December 20, 2017; and 27 28 WHEREAS, in the Resolution Agreement, the Hawaii State 29 Department of Education agreed to take multiple steps and 30 actions to come into compliance with Title IX, including 31 committing to various reporting requirements to the United 32 States Department of Education Office for Civil Rights; now, 33 34 therefore, 35 BE IT RESOLVED by the House of Representatives of the 36 Twenty-ninth Legislature of the State of Hawaii, Regular Session 37 of 2018, the Senate concurring, that no later than twenty days 38 prior to the convening of each Regular Session, beginning with 39 the Regular Session of 2019, the Department of Education is 40 requested to provide a report to the Legislature detailing its 41 actions to comply with Title IX; and 42



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1 BE IT FURTHER RESOLVED that the Department of Education's 2 report to the Legislature include, but not be limited to, 3 documentation of: 4 5 All actions taken by the Department of Education to 6 (1) comply with Title IX pursuant to the Resolution 7 Agreement; 8 9 All actions taken by the Department of Education to (2) 10 comply with Title IX with regard to all athletic 11 facilities, including but not limited to fields, 12 locker rooms, and transportation; and 13 14 All requests for appropriations, positions, and any 15 (3) proposed legislation to comply with the requirements 16 of Title IX; and 17 18 BE IT FURTHER RESOLVED that certified copies of this 19 Concurrent Resolution be transmitted to the Governor, the 20 Chairperson of the Board of Education, and the Superintendent of 21 22 Education. 23 24 25 Non a Reletti OFFERED BY:





MAR - 9 2018