H.R. NO. (7)4

HOUSE RESOLUTION

REQUESTING THE ATTORNEY GENERAL TO CONDUCT A REVIEW OF THE DEPARTMENT OF EDUCATION'S SEXUAL HARASSMENT POLICIES AND TRAINING.

WHEREAS, recent headlines have brought increased attention 1 to the issue of sexual harassment in schools; and 2 3 4 WHEREAS, the relationship between a student and a trusted 5 adult such as a teacher, coach, or other school employee is an inherently uneven one, where the student is often susceptible to 6 7 undue influence and pressure; and 8 WHEREAS, it is necessary to ensure that all students in the 9 10 State are protected from sexual harassment of any kind; and 11 WHEREAS, according to the Hawaii Civil Rights Commission, 12 13 "Prevention is the best tool for the elimination of sexual harassment. Employers should affirmatively raise the subject, 14 express strong disapproval, develop appropriate sanctions, 15 inform employees of their right to raise and how to raise the 16 17 issue of sexual harassment, and take any other steps necessary to prevent sexual harassment from occurring"; and 18 19 20 WHEREAS, the Department of Education's Code of Conduct 21 expressly prohibits employees, contractors, and volunteers from "committing any abusive act or sexual exploitation with, to, or 22 in the presence of a student, " regardless of whether the student 23 24 is or has been under the care or supervision of that employee, contractor, or volunteer; and 25 26 WHEREAS, the Department of Education's Code of Conduct 27 further prohibits any sexual act, any solicitation of a sexual 28 act, any act of sexual harassment, or any intentional 29 solicitation, encouragement, or consummation of a romantic or 30 physical relationship with a student, or any sexual contact with 31 a student; and 32



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1 2 3 4 5	WHEREAS, this body believes that the Department of Education's existing policies should be reviewed by an independent entity to ensure that the policies are sufficient to ensure the safety and protection of all students under the care	
6 7	of the public schools; now, therefore,	
8 9 10 11	BE IT RESOLVED by the House of Representatives of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2018, that the Department of the Attorney General is requested to:	
12 13 14 15	(1)	Review the Department of Education's policies on sexual harassment, including its policies on training for employees, contractors, and volunteers;
16 17 18 19 20	(2)	Include in the review an assessment of whether the Department of Education's current policies and training are sufficient;
21 22	(3)	Determine the correlation, if any, between additional training and instances of reported sexual harassment;
23 24 25 26 27 28	(4)	Review relevant sexual harassment policies and training procedures used in the State's private schools to determine what practices used at private schools may be integrated into public schools;
28 29 30	(5)	Recommend potential improvements to the Department of Education's policies and training; and
31 32 33 34 35 26	(6)	Report its findings and recommendations, including any proposed legislation, to this body no later than twenty days prior to the convening of the Regular Session of 2019; and
36 37 38 39 40 41 42	BE IT FURTHER RESOLVED that the Department of Education, Hawaii Association of Independent Schools, their staff, and other relevant persons, agencies, and entities are requested to cooperate and assist the Department of the Attorney General as needed, and to provide any information requested by the Department of the Attorney General; and	



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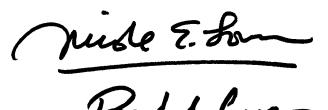
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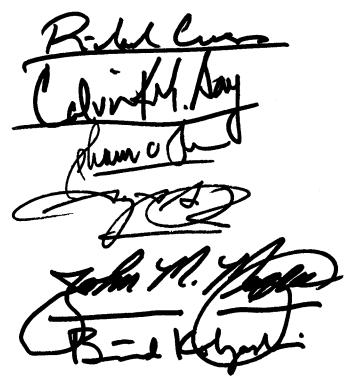
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2 BE IT FURTHER RESOLVED that certified copies of this 3 Resolution be transmitted to the Attorney General, Chairperson of the Board of Education, Superintendent of Education, and 4 Executive Director of the Hawaii Association of Independent 5 6 Schools. 7

OFFERED BY: 🖸





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