

---

---

# 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 complying with and  
2           upholding state and federal civil rights laws is an important  
3           responsibility of the department of education.

4           The legislature further finds that following the December  
5           6, 2018, federal lawsuit filed against the department of  
6           education and the Oahu Interscholastic Association involving  
7           James Campbell high school, the civil rights compliance branch  
8           of the department of education received temporary funding to  
9           hire a Title IX specialist for gender equity in athletics.  
10          While the incumbent Title IX specialist for gender equity in  
11          athletics has already made a statewide impact with the addition  
12          of flag football for female athletes, meeting with athletic  
13          leagues statewide, garnering support from various stakeholders  
14          in the community, and playing a pivotal role in implementing the  
15          department of education's gender equity plan statewide, this  
16          position is temporary.



1           Furthermore, the legislature finds that additional staff  
2 and funding are needed for the department of education to better  
3 comply with and uphold state and federal civil rights laws.

4           Accordingly, the purpose of this Act is to establish and  
5 appropriate funds for five full-time equivalent (5.0 FTE)  
6 positions within the civil rights compliance branch of the  
7 department of education.

8           SECTION 2. (a) There is established within the civil  
9 rights compliance branch of the department of education, five  
10 full-time equivalent (5.0 FTE) positions, as follows:

11           (1) One full-time equivalent (1.0 FTE) civil rights  
12 compliance specialist II (Title IX - gender equity in  
13 athletics) whose duties shall include but not be  
14 limited to:

15           (A) Reviewing athletic programs statewide;

16           (B) Developing and recommending administrative  
17 policies and guidelines to achieve compliance  
18 with Title IX and nondiscrimination on the basis  
19 of sex in education programs and activities,  
20 specifically with regard to gender equity in  
21 athletics;



- 1 (C) Providing guidance and instructions to remedy,  
2 achieve, and maintain compliance and non-  
3 discriminatory practices on the basis of sex in  
4 athletic programs and activities;
- 5 (D) Providing technical assistance, information, and  
6 guidance to department of education supervisors,  
7 including principals, vice principals, and  
8 athletic directors; staff; students; parents; and  
9 the general public as it pertains to gender  
10 equity issues in athletics;
- 11 (E) Providing training to equity specialists,  
12 athletic directors, coaches, community members  
13 and others who may have a legitimate interest in  
14 gender equity within the department of education;
- 15 (F) Preparing the department of education's official  
16 response to state and federal enforcement  
17 agencies concerning potential or alleged civil  
18 rights violations as they relate to gender equity  
19 in athletics; and
- 20 (G) Conducting a full range of investigations  
21 involving issues related with alleged violations



1 of Title IX policies and procedures as they  
2 pertain to gender equity in education programs  
3 and services within the department of education;  
4 and

5 (2) Four full-time equivalent (4.0 FTE) equity specialists  
6 II, to serve statewide and be assigned wherever the  
7 needs of the department of education are most pressing  
8 at any given time, and whose duties shall include but  
9 not be limited to:

10 (A) Acting as the Title IX coordinator for a complex  
11 area and accepting complaints relating to  
12 discrimination or harassment based on sex or  
13 gender;

14 (B) Assuring compliance with Title IX throughout a  
15 complex area and providing guidance to each  
16 school's administration relating to compliance  
17 under Title IX and any related department of  
18 education policies;

19 (C) Conducting a full range of investigations  
20 involving issues dealing with possible violations  
21 of civil rights laws, policies, and procedures,



1 including Title VI, Title VII, and Title IX, of  
2 the Americans with Disabilities Act, as amended,  
3 and Section 504 of the Rehabilitation Act of  
4 1973, as amended;

5 (D) Acting as the language access coordinator for a  
6 complex area and assuring compliance with Title  
7 VI of the Americans with Disabilities Act, as  
8 amended, throughout the complex area, which  
9 includes providing guidance to each school's  
10 administration relating to compliance under Title  
11 VI of the Americans with Disabilities Act, as  
12 amended, and any related department of education  
13 policies;

14 (E) Acting as the reasonable accommodation  
15 coordinator for a complex area and working with  
16 schools and employees to determine reasonable  
17 accommodations for employees with disabilities;

18 (F) Providing guidance to each school's  
19 administration relating to compliance under the  
20 Americans with Disabilities Act, as amended, and  
21 any related department of education policies; and



1 (G) Ensuring that proper technical assistance,  
 2 coordination, and support is provided to complex  
 3 area supervisors, principals, vice principals,  
 4 office staff, career and technical education  
 5 specialists, and teachers.

6 (b) For purposes of this section, "Title IX" means Public  
 7 Law 92-318, Title IX of the federal Education Amendments of  
 8 1972, as amended.

9 SECTION 3. There is appropriated out of the general  
 10 revenues of the State of Hawaii the sum of \$ or so  
 11 much thereof as may be necessary for fiscal year 2025-2026 and  
 12 the same sum or so much thereof as may be necessary for fiscal  
 13 year 2026-2027 for the civil rights compliance branch of the  
 14 department of education to employ five full-time equivalent (5.0  
 15 FTE) equity specialists as provided in section 2 of this Act.

16 The sums appropriated shall be expended by the department  
 17 of education for the purposes of this Act.

18 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Department of Education; Civil Rights Compliance; Equity Specialists; Appropriation

**Description:**

Establishes, and appropriates funds for, five full-time equivalent (5.0 FTE) positions within the Civil Rights Compliance Branch of the Department of Education. Effective 7/1/3000. (HD1)

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

