

JAN 17 2025

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 Campbell high school, the civil rights compliance branch of the
8 department of education received temporary funding to hire a
9 Title IX specialist for gender equity in athletics. While the
10 incumbent Title IX specialist for gender equity in athletics has
11 already made a statewide impact with the addition of flag
12 football for female athletes, meeting with athletic leagues
13 statewide, garnering support from various stakeholders in the
14 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 compliance branch of the department of education, five full-time
10 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 \$779,520 or so much
11 thereof as may be necessary for fiscal year 2025-2026 and the
12 same sum or so much thereof as may be necessary for fiscal year
13 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 provided that \$155,904 shall be allocated for each position.

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

19 SECTION 4. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$20,000 or so much
21 thereof as may be necessary for fiscal year 2025-2026 and the



1 same sum or so much thereof as may be necessary for fiscal year
2 2026-2027 for the civil rights compliance branch of the
3 department of education for equipment and supplies for the five
4 full-time equivalent (5.0 FTE) equity specialist positions
5 established pursuant to section 2 of this Act.

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

8 SECTION 5. This Act shall take effect on July 1, 2025.

9

INTRODUCED BY: Michelle N. Kedani



S.B. NO. 527

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.

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

