



SENATE BILL 3024, RELATING TO SEX-BASED DISCRIMINATION

FEBRUARY 18, 2026 · EDU HEARING

POSITION: Support.

RATIONALE: The Democratic Party of Hawai'i Education Caucus **supports** SB 3024, relating to sex-based discrimination, which clarifies and strengthens the State's protections against sex-based harassment, sex discrimination, and retaliation that occur in public schools, public charter schools, or at the University of Hawai'i, including discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions.

Title IX, authored by Hawai'i's own Congresswoman Patsy Mink, established a federal baseline prohibiting discrimination "on the basis of sex" in educational programs receiving federal funds. Yet, federal Title IX protections are not static; they are subject to regulatory interpretation and political change. According to a 2024 Congressional Research Service report on federal Title IX regulations, the U.S. Department of Education has interpreted sex discrimination to include discrimination based on sexual orientation and gender identity, drawing from the Supreme Court's reasoning in *Bostock v. Clayton County*, which held that discrimination against LGBTQ+ individuals is a form of sex discrimination. This framework has already been subject to legal challenges and policy reversals across administrations, however, creating uncertainty for students, educators, and school communities.

This proposal appropriately responds to that instability by codifying clear, durable state protections—effectively hardwiring Title IX into state law. Hawai‘i’s current framework relies heavily on federal Title IX protections that are actively being weakened and rolled back, leaving states with the responsibility to enact stronger protections to ensure equal access to education. This is a well-established principle of federalism and civil rights law: states may provide more expansive protections so long as they do not conflict with federal law.

The need for state leadership is particularly urgent given the broader national landscape. According to national legislative trackers, hundreds of bills have been introduced across the country in recent years targeting LGBTQ+ youth, including measures that restrict gender identity expression, access to facilities, and participation in school activities. These trends contribute to a climate of chaos and harm that can directly affect students’ mental health, safety, and ability to participate fully in school life.

This proposal is also critical for survivors of gender-based violence. Research and school climate surveys consistently show that incidents of sexual harassment and assault are underreported in educational settings, leaving many students without support or accountability structures. The bill itself recognizes that existing data suggest incidents of sex-based discrimination and harassment are significantly underreported in Hawai‘i’s schools and higher education institutions, creating hostile environments that undermine students’ mental health, safety, and educational attainment. Strengthening reporting systems, investigative procedures, and protections against retaliation is essential to ensuring that survivors can seek help without fear.

Hawai‘i has a strong history of protecting LGBTQ+ people from discrimination in employment, housing, and public accommodations. Hawai‘i law has long recognized sexual orientation and gender identity as protected categories. This bill extends that legacy into the education context, ensuring that students are not left behind simply because federal policy shifts or enforcement priorities change. **The educational stakes are clear. Students who experience discrimination, harassment, or fear of retaliation are more likely to miss school, disengage from learning, and experience mental health challenges that affect academic success.** Conversely, inclusive and protective school environments are associated with higher academic performance, and long-term well-being for all students, not only those directly affected by discrimination.

By strengthening Hawai'i's own statutory protections, we are ensuring that every student—regardless of sex, gender identity, sexual orientation, pregnancy status, or other sex-based characteristics—may access education safely and equally. It affirms Hawai'i's commitment to civil rights, educational equity, and the legacy of Patsy Mink's work to guarantee the promise of educational opportunity to all who call our islands, and our nation, home.

Contact: educationcaucusdph@gmail.com · 808-679-7454



HA'AHEO, 'OHANA, KAULIKE, UI
Pride Family Justice Activate
WHERE PRIDE BECOMES POLITICAL POWER

Website: www.hokupac.org ♦ Email: info@hokupac.org

February 15, 2026

Senate's Committee on Education
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Wednesday, February 18, 2026 at 1:02 PM

RE: STRONG SUPPORT for Senate Bill 3024 – Relating to SEX-BASED DISCRIMINATION

Aloha Chair Kim, Vice-Chair Kidani and fellow committee members,

This testimony on behalf of **HOKU PAC**, Hawai'i's LGBTQ+ political action committee dedicated to building queer political power and advancing policies that protect our communities. We write in **strong support of Senate Bill 3024**.

This legislation is not routine. It is urgent. It is necessary. And it is about survival.

On behalf of HOKU PAC, we submit this testimony in the strongest possible support of Senate Bill 3024.

Across the country, LGBTQIA+ people, especially transgender youth, are facing an unprecedented wave of coordinated attacks. Rights are being stripped away, healthcare is being criminalized, and educators are being silenced. A recent study shows that **suicide rates among transgender youth have increased by at least 72% over the past year**. That statistic alone should move this body to immediate action. These are our keiki. These are Hawai'i's future.

At the same time, the Lemkin Institute for Genocide Prevention has issued warnings that **the United States is in the early stages of genocide against the transgender community**. Genocide does not begin with violence alone; it begins with dehumanization, erasure, legal exclusion, and state-sanctioned discrimination. It begins when governments signal that a group's existence is negotiable.

In this climate, Hawai'i must send the opposite message.

Senate Bill 3024 clarifies and strengthens protections against sex-based harassment, sex discrimination, and retaliation in our public schools, public charter schools, and at the University of Hawai'i. By explicitly protecting students based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions, this bill ensures that our state laws are clear, enforceable, and unambiguous.

Clarity saves lives.

When schools have clear procedures for investigation and decision-making, students are less likely to be ignored. When certain employees are mandated to report harassment and discrimination, adults cannot look the other way. When retaliation is explicitly prohibited, students are safer coming forward.

Educational institutions must be sanctuaries of learning—not battlegrounds of political ideology. Yet we know that hostile federal actions and rhetoric have emboldened discrimination and intimidation. If federal leadership is failing to protect vulnerable communities, then state leadership must rise to the moment.

Paid for by HOKU PAC – Not Authorized by any Candidate or Candidate Committee

HOKU PAC Testimony in support of SB 3025: RELATING TO SEX-BASED DISCRIMINATION

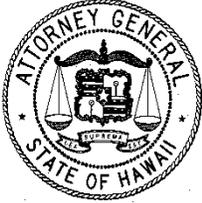
Hawai'i has long stood on the right side of history when it comes to equality and human dignity. But history teaches us that silence and inaction in the face of escalating harm are complicity.

SB 3024 is a line in the sand.

- ♥ It tells māhū, transgender, QTPI+, and gender non-conforming youth: You belong here.
- ♥ It tells pregnant and parenting students: Your education matters.
- ♥ It tells every LGBTQIA+ student: Your safety is not up for debate.

HOKU PAC urges this Committee to pass Senate Bill 3024 without delay. The data is alarming. The warnings are clear. The moral obligation is undeniable.

Mahalo for the opportunity to testify in strong and urgent support.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

S.B. NO. 3024, RELATING TO SEX-BASED DISCRIMINATION.

BEFORE THE:

SENATE COMMITTEE ON EDUCATION

DATE: Wednesday, February 18, 2026 **TIME:** 1:02 p.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Candace J. Park, Deputy Attorney General

Chair Kim and Members of the Committee:

The Department of the Attorney General provides the following comments.

This bill addresses compliance of covered entities with the Patsy Mink Equal Opportunity in Education Act, Title IX, by amending chapter 368D, Hawaii Revised Statutes, Discrimination in State Educational Programs and Activities. The University of Hawaii is a covered entity.

This bill implicates article X, section 6, of the Hawai'i Constitution, which gives the Board of Regents of the University of Hawai'i "exclusive jurisdiction over the internal structure, management, and operation of the university." Section 6 further provides: "This section shall not limit the power of the legislature to enact laws of statewide concern. The legislature shall have the exclusive jurisdiction to identify laws of statewide concern." We recommend an amendment that adds a statement identifying this bill as a law of statewide concern.

As a technical matter, the word "complaint" is misspelled at page 5, lines 9 and 11, and page 15, line 20.

Thank you for the opportunity to provide these comments.



Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission



Advocating for the Hawai'i LGBTQIA+ Community

Mailing Address: LGBTQ+ Commission, c/o The Department of Human Services,
P.O. Box 339, Honolulu, Hawai'i 96809-0339

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February 16, 2026

Senate's Committee on Education
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Wednesday, February 18, 2026, at 1:02 PM

RE: Strong Support for Senate Bill 3024

Aloha Chair Kim, Vice Chair Kidani, and fellow committee members,

I am writing in strong support of Senate Bill 3024 on behalf of the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus (LGBTQ+) Commission, which was established by the 2022 Hawai'i State Legislature to

“improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community; identify the short- and long-range needs of its members; and ensure that there is an effective means of researching, planning, and advocating for the equity of this population in all aspects of state government.”

Senate Bill 3024 clarifies and strengthens Hawai'i's protections against sex-based harassment, sex discrimination, and retaliation in our public schools, public charter schools, and at the University of Hawai'i. By explicitly including discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions, this measure affirms what should already be clear: every student deserves to learn in a safe, inclusive, and affirming environment.

Across our state, LGBTQIA+ students, especially māhū, transgender and nonbinary youth, continue to report higher rates of bullying, harassment, and exclusion. Pregnant and parenting students also face stigma and barriers that can derail their educational goals. When discrimination goes unaddressed, it not only harms individual students; it undermines academic achievement, mental health, and long-term economic stability for entire communities.

Senate Bill 3024 provides much-needed clarity. By establishing clear procedures for investigations and decision-making, the bill ensures consistency, transparency, and accountability. Students and families will better understand their rights. Schools and

Proudly established pursuant to Hawai'i Revised Statutes Chapter 369, as enacted through Act 41, Session Laws of Hawai'i 2022

HI State LGBTQ+ Commission Testimony in Support of SB 3024

administrators will have clearer guidance on their responsibilities. This structure helps prevent confusion, reduces liability, and fosters trust in our institutions.

Importantly, the bill's mandatory reporting requirements for certain employees strengthen protections by ensuring that allegations of harassment or discrimination are not ignored or minimized. When adults in positions of authority are required to act, students are safer. Early intervention prevents escalation and sends a powerful message that discrimination and retaliation have no place in Hawai'i's educational systems.

This legislation aligns with Hawai'i's long-standing commitment to equality and inclusion. Our state has often led the nation in affirming the dignity and rights of LGBTQ+ people. Senate Bill 3024 continues that legacy by ensuring that our protections are not merely symbolic, but enforceable and effective.

Education should be a pathway to opportunity—not a place of fear. No student should have to choose between their safety and their education. No student should experience retaliation for speaking up about harassment or discrimination.

For these reasons, the Hawai'i State LGBTQ+ Commission respectfully urges this Committee to pass Senate Bill 3024.

If you or any member of your staff has any questions regarding my testimony you can reach me at hawaiistatelgbtqpluscommission@gmail.com.

Mahalo nui loa for your time and consideration,

Sandy Harjo Livingston (he/him/they/them)

Chair

[Hawai'i State LGBTQ+ Commission](#)



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HARM REDUCTION CENTER

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*"Reducing harm,
promoting health,
creating wellness, and
fighting stigma
in Hawai'i and
the Pacific."*

TESTIMONY IN SUPPORT OF SB 3024

TO: Chair Kim, Vice Chair Kidani, & EDU Committee

FROM: Nikos Leverenz, Policy & Advancement Manager

DATE: February 18, 2026 (1:02 P.M.)

Hawai'i Health & Harm Reduction Center (HHHRC) **strongly supports** SB 3024, which strengthens the State's protections against sex-based harassment, sex discrimination, and retaliation that occur in public schools, public charter schools, or at the University of Hawai'i, including discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions.

At a time when the federal government is eroding and discarding civil rights protections for women and sexual and gender minorities, it is imperative for state policymakers to strengthen statutory protections for its residents to ensure equal protection under law. Gender identity and gender expression are protected categories under this state's non-discrimination law. This bill would fortify protections for women and sexual and gender minorities in public educational settings.

Unfortunately, annual reports and student surveys note a disparity between the complaints received regarding sex-based discrimination and sex-based harassment and the overall number of incidents, indicating that many go unreported. To the extent that some victims do not report incidents because they feel that transgressions against them will not be adequately addressed, providing explicit protections in statute may provide necessary recourse.

HHHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those related to substance use and mental health conditions, and have also been deeply impacted by trauma related to histories of physical, sexual, and psychological abuse.

Mahalo for the opportunity to provide testimony.



**Stonewall Caucus of the Democratic Party of Hawai'i
Testimony in Strong Support of SB3024
Relating to Protections Against Sex-Based Discrimination in Education
Senate Committee on Education
2/18/26**

Aloha Chair, Vice Chair, and Members of the Committee,

The Stonewall Caucus of the Democratic Party of Hawai'i **strongly supports SB3024**. SB3024 is a critical and timely measure that strengthens Hawai'i's protections against sex-based harassment, sex discrimination, and retaliation in public schools, public charter schools, and at the University of Hawai'i. Importantly, it explicitly protects students from discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions.

At a time when federal protections under Title IX have been rolled back to the 2020 rules, making it easier for schools to dismiss complaints and more difficult for survivors to obtain relief, SB3024 ensures that Hawai'i does not lower its standards. Instead, this bill affirms that our state will uphold strong, clear, and survivor-centered protections.

Under the 2020 federal Title IX framework, only a fraction of unlawful sex-based discrimination, including sexual harassment, gender-based harassment, and sexual assault, is reported at University of Hawai'i and Hawai'i DOE schools. Of those reports, only a fraction of students receive the protections they need. The barriers to reporting are significant. The procedural burdens placed on survivors are heavy. Many students simply give up. SB3024 addresses this gap.

This bill codifies into state law the stronger Title IX standards that were recently in effect at the federal level and ensures that Hawai'i students are protected regardless of federal political shifts. It reinforces that:

- Survivors of sexual harassment and gender-based violence deserve meaningful access to remedies.
- LGBTQIA+ students, including transgender students, are entitled to learn in environments free from discrimination.
- Pregnant and parenting students have the right to continue their education without stigma or exclusion.
- Retaliation against students who report discrimination is unacceptable.

Testimony in Strong Support of SB3024

State law has long served as a civil rights floor that often exceeds federal minimums. Hawai'i has historically chosen to lead with compassion, dignity, and fairness. SB3024 continues that tradition.

Education should be safe. It should be equitable. It should be accessible to every student — not only those who can endure discrimination in silence.

By passing SB3024, Hawai'i sends a clear message:

1. We will not allow protections for students to be weakened.
2. We will not allow political swings at the federal level to undermine the safety of our keiki.
3. We will not abandon survivors.

SB3024 is about safety. It is about accountability. It is about fairness.

And ultimately, it is about ensuring that every student in Hawai'i has the opportunity to learn in an environment free from discrimination and harassment.

The Stonewall Caucus respectfully urges you to pass SB3024.

Mahalo for your leadership and your commitment to protecting students across our state.

Sincerely,

Abby Simmons (she/her)
Chair
Stonewall Caucus of the Democratic Party of Hawai'i



To: Senate Committee on Education

Date: February 18, 2026

Location: Hawai'i State Capitol, Room 229

Re: Testimony in support of SB3024

Dear Chair Kim, Vice Chair Kidani, and honorable members of the Committee,

My name is Anna Ezzy and I am a recent alumni of the University of Hawai'i at Hilo and Co-State Director of the Every Voice Hawai'i, a student- and survivor-led coalition to end sexual violence on college campuses. I am very thankful to have the opportunity to submit testimony in **SUPPORT of the totality of SB3024: Relating to Sex-Based Discrimination**. SB3024 clarifies and strengthens the State's protections against sex-based harassment, sex discrimination, and retaliation that occur in public schools, public charter schools, or at the University of Hawai'i, including discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions. SB3024 also establishes procedures for investigations and decision-making and requires mandatory reporting by certain employees.

The 2021 UH Campus Climate Survey reported to the legislature that 1 in 6 female and 1 in 3 transgender or non-binary students are experiencing sexual violence at UH. Students with disabilities were two or more times more likely to experience sexual violence and harassment. The inequity of campus sexual violence is urgent, and as students we urge you to take action by strengthening State protections through SB3024.

In 2023, we asked students about their experiences on campus. These are some of the voices we heard:

- "I can't even count the amount of sexual harassment and assault that my friends and I have experienced this past year from the other kids at our school. We've gone to administrators and housing services and nobody does anything about the people who are dangerous and hurting people. This has seriously impacted the trajectory of our college experience and it's honestly disgusting how many people are getting away with it."
-UH Mānoa Student, class of 2026
- "I'm tired of seeing friends undergo the trauma of sexual violence only to become further traumatized by the institutional response when they report that assault. This is why so many people don't report at all."
-UH Hilo Student, class of 2023

Alarming, in 2021, 5 in 6 students who experienced gender violence did not access UH resources and over 80% of students reported negative consequences after experiencing sexual violence at UH. On behalf of students in Hawai'i and advocates against gender-based violence, we ask that you support legislation to strengthen anti-violence protections at the University of Hawai'i by favorably passing SB3024 out of committee.



May you act with the same urgency to codify protections regardless of what waivers every four to eight years at the federal level. At the current rates, thousands of students will experience gender-based violence during their time at the University of Hawai'i if we do not act now.

Thank you for the opportunity to submit testimony in support of SB3024 and mahalo for all you do to support Hawai'i students in their educational journeys.

Sincerely,
Anna Ezzy
Co-State Director
Every Voice Coalition Hawai'i



Fujiwara & Rosenbaum, L.L.L.C.

*Alahea Corporate Tower
1100 Alahea St., Fl. 20, Suite B
Honolulu, Hawaii 96813*

LATE

Senate Committee on Education

Date: WEDNESDAY, February 18, 2026, 1:02 pm, Rm. 229

Re: Fujiwara & Rosenbaum Testimony in **STRONG SUPPORT of SB3024**

Dear Chair Kim, Vice-Chair Kidani, and Members of the Committee:

As our country faces **unprecedented attacks** against civil and constitutional rights and direct attacks on women, immigrants, and critical safety net protections, we must double down, protecting the fundamental rights of Hawai'i students, especially girls and young women, creating an environment where they're not distracted by being harassed and/or assaulted and/or denied learning because they are pregnant. This can be done by looking at the numerous rights in our Hawai'i Constitution.

Focusing on the Vulnerable: Sex Discrimination/Sexual Harassment in our Public Schools

It's a question of Protection: do we care enough about our middle and high school girl students to protect them from sex discrimination, sexual harassment and physical/sexual assaults?

With SB 3024 the DOE can be free to monitor and investigate sex discrimination, especially the prevalent and on-going sexual harassmentⁱ, or should the DOE face more sex discrimination lawsuits like the Campbell high school debacle?

Right now under the current Title IX provisions there are insufficient provisions.

What does this mean? It means that the sex discrimination, which encompasses the sexual harassment of young girl students all the way up that continuum to sexual assaults, of Hawai'i's children in the public schools, **cannot be adequately addressed and thus, prevented.**

How do I know that this is clearly inadequate?ⁱⁱ For a couple of reasons: I along with my boss were hired by the DOE in 1977 to specifically enforce **Title IX of the Education Amendments of 1972** in all the public schools. The other reason is that I established our law practice to specifically address sex and race discrimination. Consequently, I have specialized in sexual harassment cases now for almost 40 years and have been found to be an expert in both state and federal court here.

Forms of Sexual Harassment in Middle and High School: Sexual harassment of high school and middle school girls manifests in various ways, ranging from verbal harassment to physical misconduct and online abuse.

1. **Verbal Harassment:**

- Sexual comments, jokes, or innuendos

- Unwanted sexual advances or persistent requests for dates
 - Gender-based slurs or derogatory remarks about appearance
 - Spreading rumors about a girl's sexuality or sexual activity
2. **Physical Harassment:**
- Unwanted touching, groping, or brushing up against someone inappropriately
 - Cornering, blocking, or pressuring a student into physical contact
 - Exposing body parts or forcing someone to look at sexually explicit materials
3. **Online Harassment (Cyber Sexual Harassment):**
- Sending unsolicited sexual messages or images (sexting without consent)
 - Sharing private photos or videos without consent (revenge porn)
 - Doxing or spreading personal information to humiliate or threaten
 - Using social media to harass, shame, or bully students in a sexualized manner
4. **Peer Harassment vs. Authority Harassment:**
- **Peer harassment:** *Often involves boys targeting girls but can and does include same-gender harassment. It may occur in school hallways, locker rooms, classrooms, and online spaces.*
 - **Authority figure harassment:** In rare but severe cases, teachers, coaches, or staff may engage in grooming behaviors, inappropriate relationships, or abuse of power over students.

Differences Between Middle School and High School Harassment

- **Middle School Girls:**
 - More likely to experience unwanted comments, rumors, and social exclusion based on gender or perceived sexuality.
 - Often face early sexualization, body shaming, and pressure to conform to gender stereotypes.
 - Harassment may be framed as "teasing" or "joking," making it difficult for students to report.
- **High School Girls:**
 - More likely to experience direct sexual advances, coercion, and pressure to engage in sexual activity.
 - Increased risks related to dating violence and non-consensual image sharing (e.g., sexting-related blackmail).
 - Greater awareness of power dynamics, including harassment by older students or authority figures.

Impact on Students: sexual harassment significantly impacts middle and high school girls, affecting their mental health, academic performance, and overall well-being. Its prevalence is also a concern,ⁱⁱⁱ because if it is taking place so often and in numerous locations at the school as well as on social media (cyber bullying)^{iv} in a young student's life, it is normalized.

- **Emotional and Psychological Harm:** Anxiety, depression, PTSD, and loss of self-esteem.
- **Academic Consequences:** Avoiding school, dropping classes, declining grades, and withdrawing from extracurricular activities.^v
- **Social Consequences:** Isolation, victim-blaming, and strained relationships with peers and family.
- **Long-Term Consequences:** Research indicates that victims of sexual harassment may suffer from long-term psychological effects, including depression, anxiety, and post-traumatic stress disorder (PTSD). These mental health challenges can persist into adulthood, affecting various aspects of life.

Conclusion

Under SB 3024 the DOE can have a more realistic ability to implement and enforce the comprehensive prevention and response strategies that will create a safer and supportive educational environment.

Thank you for this opportunity to testify.

/s/Elizabeth Jubin Fujiwara

Fujiwara & Rosenbaum, LLLC
Senior Law Partner

ⁱThe [CDC Youth Risk Behavior Survey](#) reports that 9.1% of high school students in Hawai‘i during past 12 months experienced sexual harassment or violence, 17.1% for lesbian/gay/bisexual high school students. The [Hawai‘i DOE’s Annual Report](#) on Title IX complaints reports that out of 384 sex-related cases filed in Hawai‘i Department of Education schools during the 2023-2024 school year, 330 or 86% were students filing against students. **How these cases are managed impact how youth in Hawai‘i view sex-based harassment and sexual violence.**

ⁱⁱ The [CDC Youth Risk Behavior Survey](#) reports that 9.1% of high school students in Hawai‘i during past 12 months experienced sexual harassment or violence, 17.1% for lesbian/gay/bisexual high school students. The [Hawai‘i DOE’s Annual Report](#) on Title IX complaints reports that out of 384 sex-related cases filed in Hawai‘i Department of Education schools during the 2023-2024 school year, 330 or 86% were students filing against students. **How these cases are managed impact how youth in Hawai‘i view sex-based harassment and sexual violence.**

ⁱⁱⁱ A national study by the American Association of University Women (AAUW) found that **nearly half (48%) of students in grades 7–12** experienced some form of sexual harassment. Among those, **87%** reported that the **harassment had a negative effect on them.**

^{iv} Dr. Dawn Bounds, an Assistant Professor at the University of California, Irvine, emphasizes the severe mental health consequences of online sexual shaming trends, stating, "As with the downside of social media, this trend seems to be another way to bully, shame, or exclude someone, which can have a negative impact on that person's social and mental well-being."

^v The AAUW report also highlighted that 37% of students who experienced harassment did **not want to go to school** as a result, indicating a direct impact on their educational engagement and attendance.

SB-3024

Submitted on: 2/17/2026 10:14:15 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Laura Nakanelua	Testifying for Moms for Liberty	Oppose	Remotely Via Zoom

Comments:

Aloha Chair, vice chair & members of the committee,

I stand in opposition to SB3024.

Title IX has long served as a foundational civil rights protection ensuring that no student is denied equal educational opportunity on the basis of sex.

SB3024 goes far beyond clarifying protections and instead imposes sweeping mandates that create legal uncertainty, heightened liability, and substantial administrative challenges for our public schools, charter schools, and university system.

By requiring access to bathrooms, locker rooms, and other sex-segregated facilities and activities based solely on gender identity, the bill overlooks critical privacy and safety needs—especially for young children in enclosed, intimate spaces where vulnerability is heightened and supervision is limited.

Schools must have the flexibility to implement reasonable, evidence-based policies that prioritize the protection and comfort of all students, particularly minors, while preserving biologically grounded distinctions in such private settings and in competitive sports.

The bill also significantly broadens civil liability by permitting private lawsuits, including claims for punitive damages, against any educational program receiving state funds. This escalation will heighten litigation exposure for public schools, charter schools, student groups, and higher education institutions—pulling vital resources away from direct student instruction and support toward costly legal defenses.

This bill incorporates expansive and inherently subjective definitions of “sex-based harassment” that risk stifling open discourse and generating uncertainty over permissible conduct. Educational settings must robustly guard against true harassment while upholding students' constitutional rights to free expression and academic freedom.

Finally, Hawaii already has strong anti-discrimination laws in place and fully complies with federal Title IX obligations. Establishing an overly broad state-level enforcement

mechanism invites redundant bureaucracy, conflicting interpretations, and unnecessary complexity rather than genuine clarity.

Safeguarding students from real discrimination and harassment remains a core priority. Yet this measure exceeds that aim by enshrining divisive policy choices in law without adequate safeguards, stakeholder input, or a thorough evaluation of costs and impacts.

This bill will effectively:

- Require schools to allow access to bathrooms and locker rooms based solely on gender identity, rather than actual sex/gender.
- Expand definitions of sex-based harassment and retaliation.
- Mandate reporting by most school employees.
- Allow private lawsuits — including punitive damages — against schools and programs receiving state funds.
- Apply to DOE schools, charter schools, UH, and even student-run programs.

For these reasons, I am opposed to this bill.

Respectfully,
Laura Nakanelua
(808) 561-2325



Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission



Advocating for the Hawai'i LGBTQIA+ Community

Mailing Address: LGBTQ+ Commission, c/o The Department of Human Services,
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administrators will have clearer guidance on their responsibilities. This structure helps prevent confusion, reduces liability, and fosters trust in our institutions.

Importantly, the bill's mandatory reporting requirements for certain employees strengthen protections by ensuring that allegations of harassment or discrimination are not ignored or minimized. When adults in positions of authority are required to act, students are safer. Early intervention prevents escalation and sends a powerful message that discrimination and retaliation have no place in Hawai'i's educational systems.

This legislation aligns with Hawai'i's long-standing commitment to equality and inclusion. Our state has often led the nation in affirming the dignity and rights of LGBTQ+ people. Senate Bill 3024 continues that legacy by ensuring that our protections are not merely symbolic, but enforceable and effective.

Education should be a pathway to opportunity—not a place of fear. No student should have to choose between their safety and their education. No student should experience retaliation for speaking up about harassment or discrimination.

For these reasons, the Hawai'i State LGBTQ+ Commission respectfully urges this Committee to pass Senate Bill 3024.

If you or any member of your staff has any questions regarding my testimony you can reach me at hawaiistatelgbtqpluscommission@gmail.com.

Mahalo nui loa for your time and consideration,

Sandy Harjo Livingston (he/him/they/them)

Chair

[Hawai'i State LGBTQ+ Commission](#)

SB-3024

Submitted on: 2/16/2026 9:12:49 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Scott Johansen	Individual	Support	Remotely Via Zoom

Comments:

Scott Johansen. Individual . Testifying in favor of.

SB3024

Hawaii doe website states

The Department proudly offers 21 interscholastic sports each school year, giving students the opportunity to represent their public schools and develop valuable life skills through athletic competition.By promoting teamwork, discipline, and school spirit, our interscholastic sports programs play an important role in shaping student success both on and off the field.

We must make High school athletics accesable and safe for ALL that choose to participate

Please vote yes SB3024

Wednesday, February 18, 2026 1:02 p.m.
Conference Room 229 & Videoconference
State Capitol, 415 South Beretania Street

Testimony of Joey Badua

In SUPPORT of SB3024

Senator Donna Mercado Kim, Chair

Senator Michelle N. Kidani, Vice Chair

Dear Chair Kim, Vice Chair Kidani and members of the Committee on Education:

My name is Joey Badua, and I appreciate the opportunity to testify in support of this bill, which strengthens the State of Hawai'i by ensuring clear, enforceable protections for our younger generation. As Patsy T. Mink once said, "I can't change the past. But I can certainly help somebody else in the future, so they don't have to go through what I did," in speaking about Title IX, also known as the Patsy T. Mink Equal Opportunity in Education Act. SB3024 would serve as a state-level corollary to Title IX. When Title IX was enacted in 1972, with Mink as chief sponsor, girls and young women were often pushed into limited, paternalistic, and discriminatory paths. Those who wanted to compete in athletics faced arbitrary quotas, unequal funding, and unjustified denials from teams and scholarships.

We can see the impact of stronger protections through the success of trailblazing wāhine athletes such as Carissa Moore, an Olympic gold medalist and five-time World Surf League champion, and Michelle Wie, who qualified for the USGA amateur championship at just ten years old. We can also look to leaders like Sabrina McKenna, a former Rainbow Wāhine basketball player at the University of Hawai'i who went on to serve on the Hawai'i Supreme Court. SB3024 represents a full-circle continuation of Patsy Mink's legacy and her lifelong commitment to equal opportunity in education.

On a practical level, SB3024 would strengthen state protections against sex-based harassment, discrimination, and retaliation in public schools, public charter schools, and the University of Hawai'i system. It explicitly covers discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions. I strongly support this bill because it reinforces protections for survivors of gender-based violence and for LGBTQIA+ students, including transgender students. These safeguards align with Hawai'i's higher civil rights standards and reflect our responsibility to continue building a more just and inclusive educational system.

Respectfully,

Joey Badua

PO Box 29724

Honolulu, HI 96820



oahupflag@gmail.com
(808) 729-8609

pflag.org

TO: Chair Kim, Vice Chair Kidani and members of the Senate Committee on Education
FROM: PFLAG O'ahu
Cameron Miyamoto, Ed.D. and Ryna Yamada, Co-Presidents
DATE: Monday, February 18, 2026
RE: **Strong Support of SB3024**

LATE

Dear Chair Kim, Vice Chair Kidani and members of the Senate Committee on Education,

Mahalo for this opportunity to testify today in strong support of SB3024 relating to sex-based discrimination. PFLAG O'ahu is committed to educational, supportive and advocacy efforts on behalf of parents, families and friends of LGBTQ+ people in Hawai'i.

PFLAG O'ahu is proud to embrace our diverse 'ohana and ensure that Hawai'i remains a place of compassion, aloha, and fairness. Most of our members have children who are lesbian, gay, bisexual, or transgender; their well-being depends on safe and inclusive learning environments.

SB3024 is necessary because it clarifies and strengthens the State's protections against sex-based harassment, sex discrimination, and retaliation that occur in public schools, public charter schools, or at the University of Hawaii, including discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions.

Strengthening protections for LGBTQ+ people is important now more than ever because the US. Department of Education has made it easier for schools to dismiss sex-based education and hold perpetrators accountable.

As parents, families and friends of LGBTQ+ students we implore you to protect their well-being and safety in Hawai'i schools. No student deserves to be bullied or harassed and all students need to have a clear means to address incidents of sex-based discrimination without retaliation.

Please stand with PFLAG O'ahu and the well-being of our families. ***Please vote today in support of SB3024.*** It protects some of our most vulnerable populations in Hawai'i. It is a true act of aloha and compassion. Your vote can save lives.

LATE

SB-3024

Submitted on: 2/18/2026 6:45:53 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Hurley	Testifying for Foundation for Individual Rights and Expression	Oppose	Remotely Via Zoom

Comments:

Chair Kim and members of the Committee on Education,

My name is Michael Hurley, and I am Government Affairs Counsel at the Foundation for Individual Rights and Expression, or FIRE. FIRE is a nonpartisan, nonprofit that defends free speech for all Americans, with a special emphasis on defending the rights of students and faculty in higher education, including due process.

Let me start where I think we all agree: universities have a moral and legal obligation to respond to known instances of sexual harassment and misconduct. Every student deserves an education free from this type of behavior. The question is not whether to address these issues, but how. And currently, SB 3024 crosses some important constitutional lines.

First, the bill's definition of "sex-based harassment" is overbroad and out of step with both Supreme Court precedent and binding Title IX regulations. In *Davis v. Monroe County Board of Education*, the Court defined student-on-student harassment as behavior "so severe, pervasive, and objectively offensive, and that so undermines and detracts from the victims' educational experience, that the victim-students are effectively denied equal access to an institution's resources and opportunities." This carefully crafted definition enables schools to respond to harassment while ensuring that they do not impose an unconstitutional "civility code." Many courts have cited *Davis* to strike down overbroad definitions of student-on-student harassment. Additionally, this definition is currently binding on universities through federal Title IX regulations.

By contrast, the definition in SB 3024 does not require that behavior be "objectively offensive," which leaves students guessing about what other students might find "unwelcome." Additionally, it requires only "frequency" or "severity," and the conduct in question must merely "limit" a student's ability to benefit from an educational program. Taken together, this definition will reach a wide array of protected speech. And in our experience, universities apply "harassment" definitions broadly. Imagine, for example, a group of students protesting peacefully for several days in a row for the rights of sex workers. This is core political speech protected by the First Amendment. Yet under SB 3024's definition, it could qualify as sexual harassment because it is frequent, of a "sexual nature," unwelcome for more traditionally minded students, and might be so offensive to some that it interferes with their ability to focus on schoolwork.

Second, the bill leaves important procedural gaps that are required by federal Title IX regulations. These regulations, which apply to all misconduct covered by Title IX, including sexual harassment, are designed to ensure that schools respond to allegations of sexual misconduct in a manner that is fair to both complainants and respondents. SB 3024 is missing many of these requirements, including: providing respondents with a detailed notice of allegations, allowing students to be accompanied by an advisor who may actively participate on behalf of the student during proceedings, holding a hearing, allowing the advisors for each party to ask relevant questions and cross examine hostile witnesses, allowing each party access to all of the evidence in the institution's possession, and allowing either party the right to an appeal.

Many of these protections are also constitutionally required. For example, the Supreme Court held in *Goss v. Lopez* that when a student faces a suspension of 10 days or more, they are at least entitled to advance notice and a full hearing. Lower courts have since fleshed out this area of law. For example, the U.S. Court of Appeals for the Sixth Circuit held in *Doe v. Baum* that when credibility is at issue in a university disciplinary proceeding, students must be given an opportunity to cross-examine adverse witnesses. And from 2011-2021, more than 100 courts held at some point in the process that a school may have violated student due process rights.

These procedures are essential for both parties. When the state fails to provide basic due process, it invites drawn out lawsuits that force complainants and respondents alike to relive their experiences several times over. Universities must strive to get it right the first time.

I would be happy to answer any questions you all have. Thank you again for the opportunity to testify.

Sincerely,

Michael Hurley

Government Affairs Counsel, Foundation for Individual Rights and Expression (FIRE)



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
Senate Committee on Education
February 18, 2026 at 1:02 p.m.

By

Jan Gouveia

Vice President for Administration
University of Hawai'i System

SB 3024 – RELATING TO SEX-BASED DISCRIMINATION

Chair Kim, Vice Chair Kidani, and Members of the Committee:

Thank you for the opportunity to provide testimony on SB 3024, which aims to strengthen protections against sex-based harassment, sex discrimination, and retaliation that occur in public schools. While the University of Hawai'i shares these goals, we believe the measure introduces language that has the potential to conflict with existing federal laws, rules and regulations. To that end, UH offers the following comments.

Fundamentally, the bill's procedural mandates and definitions appear to conflict with existing federal Title IX regulations governing investigations and decisions. For example, the 2020 Title IX regulations require a live hearing prior to decision making on a complaint that involves a significant liberty right or a claim involving domestic violence, stalking, sexual assault and sexual harassment. This measure appears to support a claim-processing model that accepts written or oral submissions in lieu of a live hearing. This procedural ambiguity exposes the University to be in violation of federal laws and the U.S. Constitution. Furthermore, this is even more problematic for the University because we are required to provide an Annual Certification of Compliance, which is required by the federal government as a recipient of federal funds, contracts, and awards.

The University has policies that currently provide rights and protections for the LGBTQ+ campus community in a fashion that is consistent with the rights of all other federally protected classes. This allows the University to remain in compliance with federal laws and regulations, while extending the same rights and protections to the LGBTQ+ community.

Given the prescriptive nature of SB 3024 that overlaps with detailed federal regulations that exist in the same space, the University recommends a comprehensive legal review be conducted to ensure these state-level enhancements are legally sustainable. This evaluation will help harmonize our pursuit of local civil rights protections with the federal landscape while safeguarding the resources that sustain our institution.

Thank you for the opportunity to provide these technical comments on SB 3024.



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/18/2026

Time: 01:02 PM

Location: CR 229 & Videoconference

Committee: EDU

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: SB3024, RELATING TO SEX-BASED DISCRIMINATION.

Purpose of Bill: Clarifies and strengthens the State's protections against sex-based harassment, sex discrimination, and retaliation that occur in public schools, public charter schools, or at the University of Hawaii, including discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions. Establishes procedures for investigations and decision-making. Requires mandatory reporting by certain employees.

Department's Position:

The Hawaii State Department of Education (Department) supports the intent of SB 3024, which seeks to clarify and strengthen state level protections against sex-based harassment, sex discrimination, and retaliation in public schools, including discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions; as well as establish procedures for investigations and decision-making. However, the Department respectfully offers comments on the proposed bill.

The Department is deeply committed to Title IX of the Educational Amendments of 1972 (Title IX) and the tenets it upholds. The Department understands the Legislature's concerns regarding the possible elimination of federal civil rights protections, especially regarding sex and gender-based harassment.

As a result of the 2025 federal court decision vacating the 2024 Title IX revisions, the Department has implemented the grievance procedures outlined in the 2020 Title IX revisions to address reports and complaints of sexual harassment. The Department recognizes that the 2020 Title IX regulations have raised the criteria for what types of conduct would constitute sexual harassment under Title IX, and does not include specific language that encompasses conduct on the basis of gender identity, gender expression, and sexual orientation.

To ensure that reports of conduct that do not fall within the 2020 Title IX regulations are appropriately addressed, the Department has, and will continue to utilize other applicable rules and policies. These include Chapter 19 of Title 8 of the Hawaii Administrative Rules (Chapter 19), Chapter 89 of Title 8 of the Hawaii Administrative Rules (Chapter 89), Board of Education Policy #305-10 (BOE Policy #305-10), and Board of Education Policy #900-1 (BOE Policy #900-1). Chapter 19 is primarily used to address situations in which both the complainant and the respondent are students. Chapter 89 and BOE Policy #305-10 address situations in which the complainant is a student and the respondent is an employee. BOE Policy #900-1 applies when both the complainant and the respondent are employees.

In regard to protections for gender identity and gender expression, Chapter 19, Chapter 89, BOE Policy #305-10, and BOE Policy #900-1 all indicate that conduct on the basis of gender identity and gender expression is prohibited conduct. Furthermore, Hawaii Revised Statutes Section 368D's prohibition on sex-based discrimination includes specific language that gender identity and gender expression are included within its scope. The Department understands the current HRS 368D to be a legal basis for students and employees to participate in educational programs and activities, including access to restrooms and locker rooms, consistent with their gender identity.

The Department further understands that this bill seeks to create requirements regarding the investigation and decision-making in sex-based complaints, including definitions. Should this bill pass, the Department will need to review and update any discrepancies between definitions.

The Department appreciates the Legislature's efforts to ensure that reports of both sex-based harassment (including sexual harassment) and gender-based harassment are appropriately addressed and looks forward to working with the Legislature to achieve this goal.

Thank you for this opportunity to provide testimony on SB 3024.



To: Senate Committee on Education

Hearing Date/Time: WEDNESDAY, February 18, 2026 @ 1:02 pm

Place: Hawaii State Capitol, Room 229

Re: Testimony in STRONG SUPPORT of SB3024

Dear Chair Kim, Vice Chair Kidani, and the Members of Committee,

Members of the American Association of University Women of Hawai'i thank you for this opportunity to testify in **strong support of SB3024: Relating to Sex-Based Discrimination** which clarifies and strengthens the State's protections against sex-based harassment, sex discrimination, and retaliation that occur in public schools, public charter schools, or at the University of Hawai'i, including discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions. SB3024 also establishes procedures for investigations and decision-making and requires mandatory reporting by certain employees.

We must strengthen Hawaii's Title IX State Corollary as federal protections weaken for gender violence survivors, LGBTQ+ students and pregnant and parenting students.

The U.S. Department of Education – by rolling back to 2020 Title IX rules in Early 2025 – made it harder for schools to address sex-based discrimination and more difficult for survivors to get the protections they need. With 2020 Title IX rules, only a fraction of unlawful sex-based discrimination including sexual harassment, gender-based harassment, and sexual assault are reported at University of Hawai'i and Hawai'i DOE schools. Only a fraction of the students who report get the protections they need.

Sexual harassment and violence in schools create hostile environments and can negatively impact students' learning, mental health, wellbeing, and continuation with the education. With a patchwork of federal court rulings and state laws, LGBTQI+ students are often left without a solution when they are bullied or harassed at school based on their sexual orientation or gender identity. Pregnant and parenting students continue to face discrimination and barriers in access to education, and are often steered toward separate, less rigorous schools or programs.

We need to fight the meltdown of women’s rights protections for both students and staff by having state laws that protect our residents based on our Hawai’i constitution.

Hawai’i has the right to give schools more protections than the federal law. Local and national civil rights experts agree that *State v. Wilson*, 543 P.3d 440 (Haw. 2024) sets this precedent. Federal law, including Title IX, requires schools to take action to address gender-based violence on campus—but federal law only sets a floor for schools’ obligations to create safe and equal campuses.

In anticipation of the Notice of Proposed Rulemaking to rescind 2024 Title IX regulations, the Association of Title IX Administrators published advice to schools to develop alternative processes, looking towards the ceiling not the floor, since “the 2020 Regulations are a narrower set of rules and actually exclude most sex offenses that impact students, given that those offenses most often occur outside of school settings,” ([ATIXA, 2025](#)). **The provisions in SB3024 support Hawai’i school administrators to develop best practices that lay the foundation for exemplary programs and protect the members of our communities from sex discrimination.**

The [CDC Youth Risk Behavior Survey](#) reports that 9.1% of high school students in Hawai’i during the past 12 months experienced sexual harassment or violence, with almost double the rate (17.1%) for lesbian/gay/bisexual high school students. Yet, only 438 complaints have been reported to the Hawai’i Department of Education during the 2023-2024 academic year ([DOE, 2025](#)). We must strengthen and enforce the protections against sex-based harassment, sexual violence and discrimination in K-12 schools.

In higher education, only 577 Title IX reports were made during the 2023-2024 academic year at University of Hawai’i and only 14 moved forward formally ([UH, 2024](#)). In comparison, the 2023 Report of University of Hawai’i Student Campus Climate Survey on Sexual Harassment and Gender Violence ([UH, 2023](#)) reports:

- 11.4% of survey participants experienced sexual harassment at anytime while enrolled at University of Hawai’i
- 9% experienced stalking
- 17.1% experienced dating and domestic violence
- 6.9% experienced non-consensual sexual contact

At the Federal level, The Department of Education has not resolved a single case of discrimination based on pregnancy or parental status during President Trump’s second

term. Likewise, not a single resolution addressed sexual assault or sexual harassment ([The Center for WorkLife Law, 2026](#)).

A private civil lawsuit with provisions for compensatory and punitive damages, as well as injunctive relief, is a robust enforcement mechanism for a state-level protection.

Without enforcement provisions, the existing Hawai'i civil rights statute is essentially a "paper tiger," a declaration of intent without the necessary teeth to effect change.

Thank you for considering our testimony in strong support of SB3024.

With aloha,

Younghee Overly
Public Policy Committee, AAUW of Hawai'i
publicpolicy-hi@aauw.net

The American Association of University Women (AAUW) of Hawai'i is an all-volunteer, statewide chapter of a national organization with close to 4000 members and supporters across all four counties - Hawai'i, Honolulu, Kaua'i, and Maui. AAUW has chapters in all 50 states and our mission is to advance gender equity through education and advocacy. Economic security for women is our goal.

SB-3024

Submitted on: 2/16/2026 7:41:45 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Younghee Overly	Individual	Support	In Person

Comments:

Thank you for this opportunity to testify in **STRONG SUPPORT** of SB3024.

U.S. Department of Education has rolled back to 2020 Title IX rules making it easier for schools to dismiss sex-based discrimination, harder to hold perpetrators of sexual harassment and assault accountable, and more difficult for survivors to get the protections they need. With 2020 Title IX rules, only a fraction of unlawful sex-based discrimination including sexual harassment, gender-based harassment, and sexual assault are reported at University of Hawai‘i and Hawai‘i DOE schools. Only a fraction of the students who report get the protections they need.

SB 3024 clarifies and updates Hawai‘i law to ensure that DOE schools, public charter schools, and the University of Hawai‘i promptly and effectively respond to sex-based discrimination and harassment. It strengthens protections for:

- LGBTQI+ students, including access to facilities and activities consistent with their gender identity
- Pregnant and parenting students, including required accommodations and non-discriminatory policies
- Survivors of sexual harassment, gender-based harassment, and sexual assault
- Students facing retaliation for reporting violations

These updates are critical as federal Title IX protections have become inconsistent, leaving gaps in enforcement that disproportionately harm girls, LGBTQI+ youth, and pregnant/parenting students. .

This bill is a major update to Hawai‘i’s Title IX State Corollary law and groundbreaking. State laws have a history of setting a higher standard than federal laws in civil rights cases.

Please pass SB3024 and thank you for your consideration.

Chair, Vice Chair, and esteemed legislators,

On behalf of nearly 200 supporters, and as a student wishing to see Hawaii campuses be made safer, I write **in strong support of SB3024**. In The University of Hawaii at Manoa's Act 242 report published in 2024, a total of 265 Title IX complaints of sexual harassment, discrimination, abuse, and violence were documented. **Of these 265 complaints, 194 did not move forward in investigation or informal means, and only 2 cases received a full investigation in which the university rendered a formal decision.** Numbers like these are simply abhorrent, and astounding in the worst way.

SB3024 has one simple goal: to make Hawaii campuses safer. The bill defines protected groups such as LGBTQ+ individuals and women of maternal status, mandates (at minimum) responses to all Title IX complaints received by state educational programs, enshrines clear definitions of sexual consent at the state level, and clarifies further protections such as allowing pregnant college students to maintain their class status after returning from leave.

While concerns may be brought to the legislature from those who would wish to dodge accountability for the safety of students, let it be clear: this bill is for the protection of students and staff and is only a threat to institutions that would refuse to do so. **The bill requires zero appropriations or reallocations of funds, establishes zero new offices, and only holds educational programs liable to suit in the case of blatant negligence of reported victims.**

Article X of the Hawaiian Constitution puts simply; "There shall be no discrimination in public educational institutions because of race, religion, sex or ancestry." Yet, in an article titled "UH releases results of student survey on sexual harassment, violence," the university saw

increases in the percentage of students who were victims of nonconsensual sexual contact, harassment, stalking, and domestic violence from 2017 to 2019.

In the University of Hawaii’s Annual Report on Safety and Accountability (December 2024), the priorities of the university for the improvement of safety on campus are “increasing awareness about EP 1.204, how to report and obtain support measures,” “targeting outreach and training to subgroups identified as vulnerable populations, and developing culturally relevant training curriculum;” and “raising awareness of and referrals to campus resources to mitigate the consequences of Dating and Domestic Violence (“DDV”).” While trainings and awareness are critical, these methods do nothing to keep the university itself accountable for ensuring the safety of its students. **This action plan does nothing to address the 263 uninvestigated Title IX reports received by the university, and ultimately continues a history of outright neglect.**

A petition started by myself and another student on 02/12/2026 to gather support for SB3024 has received 184 signatures as of 02/15/2026 - in just a three day span. Thus, on behalf of these students, staff, graduates, campus organizations, and people of Hawaii, I kindly ask that the legislature support SB3024.

With hope for the safety of Hawaii,

Maddax Tsuchiya

Macy Rose

Lilo Tokashiki

Alexandria Tsuchiya

Wahlesah Rose

Carly Cruz

Michael Olivas

Kiana Waikiki

Coyan Magniez

Keanu Lui-Kwan

Amanda Ibanez

Kynsi Bayes

Kullen Watson

Azriel Badon

Lilli-Lyn Brewer

Dorothea Loughery

Bobit patao

Cayden Park

Tatiana A. Nana

Jorosh Cabanela

Jhanti Blakeney

Weber Santiago

Natalia Pagan

Emily S

Etuni Sunia

Jordan Nunies

Teagan Timtim

Ahonui Pearce

Danika Wong

Amelie Kitakis

Brennagen Botelho

Ryla Valerio

Liahona Ta'ala

Dante Liotta

Miya Suzuki

Preston Kahanu-Pacleb

Cloey Hanato

Ariana Tsuchiya

Stella Brown

Kay M

Salamasina Kawaauhau

Georgia Dick

Christynne Urielle De Vera

Alina Vickers

Keith Ito

Michael Field

Joel Lee

Grace Lee

Isa Taylor

Prapti Prasai

Jae Javier

Alana Kamaile

Jessica Baldpino

Anaya Muneno

Tayne Furuta

Keala Aio

Raychel M

Raevyn Alexis Kalili

Marissa Chung

Kaelyn K

Amerie Braithwaite

Hannah Hawley

Nyla Jai

Liberty Bernal

Denise Romero

Aisha Vaughan

Lucas Zarraga

Christina Shishido

Venus Salhi

Finley Geis

Moses Falls

Vance Awa

Mya Serpinas

James Rodden

Cecile Vimond

David Yoshida

Kamille Lateo

Wailele Kapali

Shaydee Rieta-Makanui

Saea Hikila

Gwyneth Rosenbaum-Olins

Rona Lei Duldulao

Kelsey-Marie Asuncion

Kiara Flanagan

Abby Triandiflou

Karly Rojas

Zoe Smith

Liam Hoppe

Jenna Chung

Ku'ulei Kealoha Nitta

Emma Makamae Pascua-Mitchell

Miles Zamoyski

Ava Monico

Ashton Kawakami

Gael Chun-rivas

Grace Stubblefield

Lily Chun

Chloe Martinez

Lea Richardson

Elaina smith

Tara T Merlo

Anna Stirr

Tabitha Ryan

Kaia Joseph

Jen Len

Chyla Tilton

King James Mangoba

Flora Elham

Alyssa Chang

Madison Murakami

Kahekili Yung

Hiilei Kaina

Lisa Takebe

Jamie Matthews

Cadence Maki

Oiwel Kebekol

Ren Urashima

Tessa Heidkamp

Evan Rivera

Madison Sell

Alexx Daos-Smith

Ej Brooks

Teia Perez

Sharlene Mae Ramos

Ryan Tsuzaki

Ju Mapee

Miller Thompson

Kaimana Kon

Makana Cabaniero

Riley Tan

Hayrin Cruz

Dawson Chan

Avery Funasaki

Corey Koike

Kayla Nguyen

Teri L

Leila Takamatsu

Alohilani Paho-Guzman

Riena Choy

Katie Ha

Ashley Miura

Lanisa Sekigawa

Andy Le

Joshua Marembia

Kaela Leonardo

Keisha Aki

Arielle Yamada

Brandy Chen

Zane Jenkins

Dylan Choy

Camille Dela Cruz

Ezekiel Deguzman

Hayden T

Dylan Chester

Olivia Kulaga

Kaydee Leong

Jazmin Andrade Roman

Kierah Pabo

Grace Tytus

Kacie Huang

Micah Laraway

Anselm Fautanu

Kea K

Uakea Dela Rosa

Jordan Naito

Mia Jones

Isabelle T

Sydney Sung

Jacob Smith

Charlotte Hsu

Denise Quintero-Solorzano

Angela Yerten

Brysa Quintero

Kayla Soma Tsutsuse

Johannes Stoessl

Malia Tsuchiya

Naia Ahuna

Jiangshuo Chen

Beth Martinez

Alireza Haghighi-raad

Tara Bas

Gillen Vale Jusi

Laila Gallardo

Joaquin Garleano



The Senate Committee on Education

February 18, 2026

Room 229

1:02 PM

RE: SB 3024, Relating to Sex-Based Discrimination

Attention: Chair Donna Mercado Kim, Vice Chair Michelle N. Kidani, Members of the Committee

The University of Hawaii Professional Assembly (UHPA), the exclusive bargaining representative for all University of Hawai'i faculty members across Hawai'i's statewide 10-campus system, **supports the intent of SB 3024** to codify protections against discrimination and ensure safe educational environments. We agree that the University must promptly and effectively respond to complaints of sex-based harassment and discrimination. **However, we must respectfully oppose the specific provision in Section 2, §368D-F(b) regarding the mandatory standard of proof, as it directly conflicts with the due process rights guaranteed to our members under our Collective Bargaining Agreement and statutory rights under HRS Chapter 89.**

Conflict with Negotiated "Just Cause" Standards. Our primary concern is that the bill mandates the use of the "preponderance of the evidence" standard for investigations and decisions. Under Article XVIII of our Collective Bargaining Agreement (Agreement), faculty members cannot be disciplined without "proper cause."

In labor relations, "proper cause" is governed by the "Seven Tests of Just Cause" (established in *Enterprise Wire*, 1966), which are the standard for disciplinary grievances in our bargaining unit. Specifically, Test #5 requires that the Employer obtain "substantial evidence" of guilt before administering discipline.

When a case involves the termination of a tenured faculty member—who holds a contractual right to "permanent or continuous service" under Article XII—arbitrators historically exercise the discretion to require a rigorous demonstration of "substantial evidence" commensurate with the severity of the penalty. By legislatively capping the burden of proof at "preponderance of the evidence" (51%), this bill overrides the negotiated "substantial evidence" requirement. It effectively removes an arbitrator's authority to determine that a specific case—such as one ending a tenured career—requires a higher degree of certainty than a simple majority opinion.

**University of Hawaii
Professional Assembly**



Failure of the "Safe Harbor" Provision. We have confirmed that the University's current internal policies regarding race and disability discrimination utilize the "preponderance of the evidence" standard. Consequently, the "safe harbor" provision in Section 2—which allows for a higher standard of proof *only* if used in race or disability cases—would not apply to the University. Therefore, this bill would legally mandate that the University lower its standard of proof for faculty discipline in sex-based cases to "preponderance." This constitutes a direct legislative override of the negotiated protections in Article XVIII.

Inequity and Article XXVIII. Furthermore, Article XXVIII of our Agreement explicitly states that if there is a conflict between the Agreement and University policies, the Agreement shall prevail. By codifying the standard of proof in state statute, this bill attempts to circumvent the negotiated supremacy of the contract.

If passed as written, this creates a bifurcated and inequitable disciplinary system. A faculty member accused of misconduct such as theft or insubordination would be afforded the robust protection of the "proper cause" and "substantial evidence" standards. Meanwhile, a faculty member accused of sex-based harassment would be subject to termination based on the lower "preponderance" standard mandated by this statute. We do not believe the Legislature intends to erode the value of tenure or the negotiated rights of public employees in this manner.

Consequently, we urge the committee to **amend the bill to explicitly state that for employees covered by a collective bargaining agreement, the standard of proof and just cause requirements for disciplinary proceedings shall be governed by the applicable agreement.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. L. Fern'.

Christian L. Fern
Executive Director
University of Hawaii Professional Assembly

**University of Hawaii
Professional Assembly**

To: Senate Committee on Education
Re: SB 3024-Relating Sex-Based Discrimination
Hawai'i State Capitol Room 229 & Via Videoconference February
18, 2026, 1:02 PM

LATE

Dear Chair Kim, Vice Chair Kidani, and Respected Committee Members,

On behalf of Hawai'i Children's Action Network (HCAN) Speaks!, we respectfully submit testimony in **SUPPORT of SB 3024**.

HCAN is dedicated to building a Hawai'i where all keiki are safe, healthy, and able to reach their full potential. SB 3024 strengthens and clarifies state protections against sex-based harassment, discrimination, and retaliation in our public schools, public charter schools, and the University of Hawai'i system. These protections are foundational to ensuring every student has equal access to educational opportunity.

Students cannot thrive academically when they feel unsafe, marginalized, or unsupported. Clear state standards help ensure that complaints of discrimination or harassment are addressed promptly, consistently, and fairly. By codifying strong procedures and expectations, SB 3024 reduces confusion for schools and provides clarity for students and families about their rights and available remedies.

Importantly, SB 3024 affirms protections for students who have historically faced barriers to full participation in school settings, including pregnant and parenting students and LGBTQ+ students. No student should be excluded from programs, activities, athletics, or facilities because of pregnancy, gender identity, sexual orientation, or related conditions. When students are pushed out, formally or informally, their educational trajectories and long-term outcomes suffer.

Hawai'i has long valued fairness, dignity, and respect for all members of our community. This bill reflects those shared values by ensuring our education system remains safe and inclusive for every learner. Strong, clear protections also support educators and administrators by providing guidance that promotes consistency across campuses statewide.

Safe and supportive school environments are directly linked to improved attendance, stronger academic performance, and better mental health outcomes. When students know they are protected and that adults will respond appropriately to harm, they are better able to focus on learning and development.

SB 3024 is about ensuring that every child in Hawai'i regardless of sex, gender identity, sexual orientation, or pregnancy status has an equal opportunity to succeed. It strengthens accountability, promotes clarity, and reinforces our commitment to educational equity.

Mahalo for the opportunity to testify in strong support. Please **PASS SB 3024**.

LATE

SB-3024

Submitted on: 2/17/2026 7:32:23 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Hawai'i State Democratic Women's Caucus	Testifying for Hawai'i State Democratic Women's Caucus	Support	Written Testimony Only

Comments:

Aloha Chair Kim, Vice Chair Kidani and members,

We are in strong support of this measure.

As you know, In January 2025, Judge Danny C Reeves blocked the Biden administration's Title IX rule, which would have altered the federal government's definition of sex to include a student's preferred gender identity. Although this judge is not a Trump appointee he seems definitely cozy with his viewpoint - to overturn Title IX altogether.

Fortunately, as you are aware, executive orders cannot overturn U.S. Supreme Court decisions and cannot repeal existing laws, including Title IX. And States can make their own laws that are more stringent than the Federal law.

Given the onslaught and consequent psychic and actual physical harm against women and the LGBTQ+ community coming from the political plaque originating in our nation's capitol and infecting our country, we MUST tighten our own state laws.

This bill would: Strengthen the protections against sex-based discrimination. Clarify protections of LGBTQI+, pregnant, parenting students at University of Hawai'i and public schools in Hawai'i. It would have teeth as an enforcement provision to Title IX State Corollary, HRS Chapter 368D. And finally it would allow private civil lawsuit as an enforcement mechanism.

Please! Pass this bill.

Me Ke Aloha Pumehana,

Ann S. Freed, Co-Chair, Hawai'i State Democratic Women's Caucus

Senate Committee on Education
Chair, Donna Mercado Kim Vice-Chair, Michelle Kidani
and committee members
Senators Carol Fukunaga, Troy Hashimoto and Samantha DeCorte

SB3024 Report Title: Sex-Based Harassment; Sex Discrimination; Retaliation; Title IX; Protections

My name is Rita Kama-Kimura, and I am opposed to the passing of this bill.

I believe we here in Hawaii already have anti-discrimination laws and of course there is the Federal Title IX already in place.

Please note that I do oppose discrimination, sex discrimination & harassment, any type of retaliation and such ...

However, I see nothing that addresses Biological Female, recognizing them and their protection. After all, were they not the purpose of Title IX? They seem to be forgotten, invisible, yet we see them being targeted in areas like sports and when it comes to their privacy and safety!

So, no I do not support the passing of this bill and ask you to stop it now.

Respectfully,
Rita Kama-Kimura

SB-3024

Submitted on: 2/15/2026 8:42:17 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. It is government overreach.

SB-3024

Submitted on: 2/15/2026 8:14:52 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Duffy	Individual	Oppose	Written Testimony Only

Comments:

Oppose.

Title IX has long served as a foundational civil rights protection ensuring that no student is denied equal educational opportunity on the basis of sex. Hawaii has rightfully honored Congresswoman Patsy Mink’s legacy in protecting women and girls in education. However, this bill moves far beyond clarifying protections and instead creates sweeping mandates that introduce legal ambiguity, expanded liability, and significant administrative burdens for our public schools and university system.

First, the bill mandates access to bathrooms, locker rooms, and sex-segregated activities based solely on gender identity, without providing any balancing framework for privacy, safety, or parental concerns. Schools should retain reasonable discretion to accommodate all students while maintaining clear, biologically based protections where appropriate—particularly in intimate spaces and competitive athletics.

Second, the bill dramatically expands civil liability by authorizing private lawsuits, including punitive damages, against any educational program receiving state funds. This will increase litigation risk for public schools, charter schools, student organizations, and higher education institutions—diverting resources away from classrooms and into legal defense.

Third, the bill codifies broad and subjective definitions of “sex-based harassment” that may chill free expression and create confusion about what constitutes actionable conduct. Education environments must protect students from harassment while also safeguarding constitutional freedoms.

Finally, Hawaii already maintains robust anti-discrimination statutes and complies with federal Title IX requirements. Creating an expansive, parallel state enforcement structure risks duplicative bureaucracy and inconsistent standards that could create more confusion than clarity.

Protecting students from genuine discrimination and harassment is essential. However, this proposal goes beyond that goal and instead embeds contested policy mandates into statute without sufficient guardrails or fiscal impact.

For these reasons **I am opposed** to this bill.

SB-3024

Submitted on: 2/16/2026 2:33:52 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Smart	Individual	Oppose	Written Testimony Only

Comments:

I most strongly oppose SB3024.

As stated in the bill, Title IX prohibited discrimination on the basis of sex. This bill takes away all the protections originally granted to men and women. Concepts proposed in 368D-C authorizes unsafe environments. Men who assume the identity of women and women who assume the identity of men should not be allowed in facilities where changing of clothes, showering or using spa and bathroom facilities is involved. When a biological male or female exposes themselves in public, that nudity is classified as a crime in Hawaii. Public nudity, indecent exposure (Hawaii Revised Statutes Section 707-734), and open lewdness (Hawaii Revised Statutes Section 712-1217) are illegal. These petty misdemeanors, defined as intentional exposure of genitals or any lewd act in public likely to cause affront, are punishable by up to six months in jail or a \$1,000 fine. . It should also be a crime for a male to expose himself to women (and vice versa) in Hawaii bathrooms and locker rooms.

Stop putting women in harms way with this type of bill. You will be destroying the legacy of Patsy Mink who worked to improve the lives of women. This bill does just the opposite.

Do not pass SB3024.

SB-3024

Submitted on: 2/16/2026 7:17:16 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Jen Wilbur	Testifying for Planned Parenthood Alliance Advocates	Support	Written Testimony Only

Comments:

Planned Parenthood Alliance Advocates supports this measure and encourages the Committee on Education to pass it out.

SB-3024

Submitted on: 2/14/2026 12:39:51 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Marcia A Armstrong	Individual	Support	Written Testimony Only

Comments:

Thank you.

SB-3024

Submitted on: 2/14/2026 2:15:38 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Hansen	Individual	Support	Written Testimony Only

Comments:

mahalo / please support this bill.

Elizabeth Hansen

Hakalau HI 96710

SB-3024

Submitted on: 2/14/2026 2:47:36 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Virginia Hinshaw	Individual	Support	Written Testimony Only

Comments:

Mahalo for supporting this important bill.

SB-3024

Submitted on: 2/14/2026 5:39:37 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Sandy Ma	Individual	Support	Written Testimony Only

Comments:

Dear Chair Kim, Vice Chair Kidani, and Members of the Senate Education Committee,

I am a member of AAUW of Hawai‘i and I am testifying in support of SB 3024, which (1) clarifies and strengthens the State's protections against sex-based harassment, sex discrimination, and retaliation that occur in public schools, public charter schools, or at the University of Hawai‘i, including discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions, (2) establishes procedures for investigations and decision-making, and (3) requires mandatory reporting by certain employees.

Since Title IX was signed into law in 1972 millions of girls and women have achieved their dreams in sports, academics, medicine, law, science, engineering, and other traditionally male dominated professions.

However, Title IX's protections have been recently eroded and this current federal administration has sought to end it entirely.

In 2018, Hawai‘i created a Title IX State Corollary by prohibiting discrimination on the basis of sex, including gender identity or expression, or sexual orientation, in any state educational program or activity, or in any educational program or activity that receives state financial assistance.

SB 3024 will strengthen Hawai‘i's Title IX State Corollary, which is needed to not backslide on the rights previously secured. Instead, Hawai‘i should ensure more guarantees for educational success, freedom, and opportunity, which will benefit the state and its populace.

I respectfully ask this Committee to pass SB 3024. Mahalo!

SB-3024

Submitted on: 2/15/2026 11:51:11 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Michele Golojuch	Individual	Support	Written Testimony Only

Comments:

I stand in full support of this bill.

SB-3024

Submitted on: 2/15/2026 11:56:09 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Individual	Support	Written Testimony Only

Comments:

I strongly support SB3024. Please pass this bill.

Mike Golojuch, Sr

Hearing Date: Wednesday, February 18, 2026, 1:02 PM, Rm. 229

To: Committee on Higher Education
Senator Donna Mercado Kim, Chair
Senator Michelle N. Kidani, Vice Chair

Re: TESTIMONY IN SUPPORT OF SB 3024, RELATING TO SEX-BASED DISCRIMINATION.

Dear Chair Kim, Vice Chair Kidani, and the Members of the Committee,

My name is Jean Evans. I have two degrees from the University of Hawaii at Manoa and I retired after 40 years holding executive positions in Hawaii non-profit agencies. I am also a member of AAUW Hawaii.

I am strong support of SB 3024

This important measure will:

- Strengthen the protections against sex-based discrimination
- Clarify protections of LGBTQI+, pregnant, parenting students at University of Hawai'i and public schools in Hawai'i
- Enforcement provision to Title IX State Corollary, HRS Chapter 368D
- Private civil lawsuit as an enforcement mechanism

These protections are needed in Hawaii now more than ever in light of roll-backs to the 2020 Title IX rules by the U.S. Department of Education. Without these changes, the roll-backs make continue to make it is easier for schools to dismiss sex-based discrimination, harder to hold perpetrators of sexual harassment and assault accountable, and much more difficult for survivors to get the protections they need.

Please pass this important measure and mahalo for your consideration.

Sincerely,



Jean Evans

SB-3024

Submitted on: 2/15/2026 2:57:25 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Ezgi Green	Individual	Support	Written Testimony Only

Comments:

Aloha Senator Kim, Chair Senator Kidani, Vice Chair, and Members of the Committee,

I am writing in strong support of SB3024, which is a critical step forward for the protection and dignity of students in Hawai‘i. As a community member, I believe every student deserves the right to pursue their education free from discrimination, harassment, and violence.

SB3024 is especially important because it restores and strengthens protections for student survivors of gender-based violence, LGBTQ+ students, and pregnant and parenting students—groups that have faced increased risks and barriers due to recent changes at the federal level. This bill sets a higher standard for Hawai‘i, ensuring our schools are places of true safety, equity, and opportunity.

By passing this bill, you will help uphold the values of fairness and inclusion that our state is known for, and send a clear message that discrimination has no place in our educational institutions.

Mahalo for considering my testimony and for your commitment to protecting the rights of all Hawai‘i students.

Respectfully,
Ezgi Green, Waialua, O'ahu

SB-3024

Submitted on: 2/15/2026 5:57:45 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard S Velasquez	Individual	Support	Written Testimony Only

Comments:

please protect our kids

SB-3024

Submitted on: 2/15/2026 10:58:32 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Beth Anderson	Individual	Support	Written Testimony Only

Comments:

I strongly support SB3024 because it strenghtens the State's protections against sex-based harrassment, sex discrimination, and retaliation that occur in public schools, public charter schools, and the University of Hawaii, including discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy related conditions.

Because the U.S. Department of Education has rolled back to 2020 Title IX rules making it easier for schools to dismiss sex-based discrimination, harder to hold perpetrators of sexual iassault accountable and more difficult for survivors to get the protections they need, it is esential we legalize stronger protections for Hawaii students.

Thank you for supporting SB 3024.

Beth Anderson

Kailua, Oahu

Member of AAUW of Hawaii

SB-3024

Submitted on: 2/16/2026 6:57:55 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Pollak	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs, and Honorable Members of the Committees:

My name is Lisa Pollak, and I am concerned citizen and parent from Kaua‘i. I strongly support Senate Bill 3024, which strengthens Hawai‘i’s Title IX protections against discrimination on the basis of sex, sexual orientation, gender identity, and gender expression in educational settings.

Title IX has been a cornerstone of equal opportunity in education for over fifty years. Yet across the nation — and even here in Hawai‘i — students continue to face harassment, bullying, and exclusion that limit their ability to learn and thrive. SB3024 ensures that state law reflects the full intent of Title IX by clearly defining and prohibiting all forms of sex-based discrimination, including those based on gender identity and sexual orientation.

This bill also provides important clarity and consistency for schools, universities, and state agencies to implement fair procedures when discrimination occurs. In doing so, Hawai‘i reaffirms its values of inclusion, equity, and aloha — that every student deserves safety, dignity, and equal access to educational opportunities.

Many young people in Hawai‘i — particularly transgender and LGBTQ+ students — have reported being misgendered, denied access to facilities, or discouraged from participating in sports or school activities. These experiences often lead to reduced attendance, lower academic performance, and mental health challenges. SB3024 directly addresses these harms by requiring affirmative, legally enforceable standards that protect all students equally.

By passing SB3024, you will:

- Strengthen Hawai‘i’s compliance with federal civil rights law
- Promote safe and inclusive schools for all children
- Send a clear message that discrimination has no place in our communities

Hawai‘i has long led the country in protecting diversity and human rights. SB3024 is an opportunity to continue that leadership — by ensuring that our schools uphold the values of fairness, respect, and aloha for every student. It is the single reason my husband and I moved here from overseas to raise our family nearly 30 years ago.

Mahalo for the opportunity to testify in strong support of SB3024.

Respectfully submitted,
Lisa Pollak
blackink329@gmail.com

SB-3024

Submitted on: 2/16/2026 11:23:45 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Annette Barr	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill for the welfare of our students and community

SB-3024

Submitted on: 2/16/2026 3:25:42 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessie Gunderman	Individual	Support	Written Testimony Only

Comments:

Aloha,

As a UH Hilo alumna and resident of Big Island, I strongly feel the need for more protection for sexual assault victims and reduction of sexual discrimination.

The university's priority should be protecting their students. Their gross negligence and resistance to these movements should not be allowed or taken lightly. This is not okay. 577 title IX reports between 2023-2024 is unacceptable. 11.4% of survey participants having experienced sexual assault while enrolled at UH is unacceptable. 17.1% having experienced domestic violence is unacceptable. These things are not easy to change but I urge you to remember this is a billion dollar organization we're talking about. Just in 2023 alone UH reported approximately \$1.91 billion in revenue. The resources ARE available and prioritizing a streamlined registration process or funding parameters over student safety is simply unethical. You legislators today have the power to decide whether you are going to side with money or human rights.

Thank you.

SB-3024

Submitted on: 2/16/2026 6:30:38 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
C Chang	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I am writing in strong support of SB3024.

Every student deserves to feel safe, respected, and protected at school. Clarifying and strengthening protections against sex-based harassment, discrimination, and retaliation is essential to ensuring that our public schools, public charter schools, and the [University of Hawai'i](#) remain places where all students can learn without fear.

Students who are transgender, LGBTQ+, pregnant, or parenting already face higher risks of bullying and exclusion. Clear policies, consistent investigation procedures, and mandatory reporting requirements create accountability and help prevent harm before it escalates. These protections are not political—they are about student safety, dignity, and equal access to education.

As a Hawai'i resident and parent, I believe our schools should lead with fairness, compassion, and clarity. SB3024 provides the structure needed to protect vulnerable students and ensure that discrimination is addressed promptly and responsibly.

Please pass SB3024.

Mahalo for your consideration,

C Chang

I strongly **support** SB3024 since the US Dept. of Education has decreased the strength of Title IX rules on the federal level. It is important that Hawaii's citizens strengthen the protections against sex-based discrimination, clarify the protections of LGBTQI+, pregnant, and parenting students at the University of Hawaii and the public/ charter schools in Hawaii, have an enforcement provision to the Title IX State Corollary, HRS Chapter 368D, and allow private civil lawsuits as an enforcement mechanism.

SB-3024

Submitted on: 2/16/2026 9:11:24 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Carolyn M Golojuch	Individual	Support	Written Testimony Only

Comments:

I strongly support SB3024.

PLEASE pass SB3024 as quickly as possible.

SB-3024

Submitted on: 2/16/2026 10:02:59 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Mecca Monson-Gere	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing today not just as a resident and an educator, but as a person who deeply believes in the promise of a safe, nurturing education for every single child in Hawaii. Thus, I offer my strongest support for Senate Bill 3024.

This legislation is more than just a policy adjustment; it is a moral imperative. It is a necessary act of compassion that will finally and unequivocally ensure that our public schools, charter schools, and the University of Hawaii are sanctuaries of learning—places where no student has to fear discrimination, harassment, or retaliation.

When we talk about sex-based discrimination, we are talking about the basic human right to be seen, respected, and protected. SB 3024 is critical because it courageously takes a stand for all our students, explicitly extending protections to include discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions. We must modernize our laws to reflect the lived realities of our students, ensuring their dignity is never up for debate.

By passing this measure, we are not just amending a statute; we are sending a powerful, life-affirming message to every student in Hawaii: You belong here. You are safe here. We have your back.

Mahalo nui loa for your time, your service, and your willingness to stand for the well-being of our future leaders.

Sincerely,
Mecca Monson-Gere

SB-3024

Submitted on: 2/16/2026 10:34:41 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeanne Ohta	Individual	Support	Written Testimony Only

Comments:

I am in strong support of SB 3024 which strengthens protections against sex-based discrimination in our public schools and the University of Hawaii and also clarifies protections of LGBTQI+, pregnant and parenting students.

Importantly the bill adds a needed enforcement mechanism so that this statute against discrimination truly provides protections. I ask the committee to pass this bill and thank the committee for this opportunity to provide my testimony in support.

SB-3024

Submitted on: 2/16/2026 11:10:14 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Danielle Montoya	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Danielle Montoya, and I am an alum at the University of Hawai'i at Hilo. I appreciate the opportunity to testify in SUPPORT of SB3024, which will strengthen Title IX protections for LGBTQ+, pregnant and parenting students. This bill will ensure discrimination on the basis of sex, sexual orientation, gender, and expression are not a hindrance to students on their path to higher education.

Title IX regulations have greatly diminished protective measures for students who do not meet a certain criterion. According to the Hawai'i Student Campus Climate Survey on Sexual Harassment and Gender Violence reports, during the 2023-2024 academic year 577 Title IX reports were made, yet the University of Hawai'i only decided to move forward with 14.

I firmly believe that receiving a higher education is a privilege and not one easily earned. Students choosing to invest in their future deserve a level of dignity and respect that the University of Hawaii is simply not granting these scholars.

Gender based violence occurs every year at Universities across the United States; the University of Hawai'i is no different. If SB3024 passes, it will not stop sexual misconduct, but if a student experiences such crimes, they will feel safe to come forward knowing their University protects them.

Mahalo for your dedication to the health and well-being of all UH students across Hawai'i. Please pass SB3024.

Signed,

Danielle Montoya

SB-3024

Submitted on: 2/17/2026 3:08:37 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Eric Derrick	Individual	Support	Written Testimony Only

Comments:

My name is Eric, I'm 36 years old, and I work as a mechanic here in Hawaii. I am writing to voice my strong support for SB 3024.

In my trade, we talk a lot about "the right tool for the job." When it comes to the workplace, the right tool for maintaining a professional environment is a clear set of rules that everyone has to follow. I've worked in various shops over the years, and I know that things run best when everyone, regardless of their sex or background, is treated with basic respect and judged on the quality of their work. I support SB 3024 for several reasons. Professionalism in every trade. Just because a job is hands-on or in a traditionally male-dominated field doesn't mean sex-based discrimination or harassment should be tolerated. This bill helps set a standard that keeps our workplaces professional across the board. Safety without retaliation. In a shop, if you see a safety hazard, you report it so no one gets hurt. The same should apply to harassment. People shouldn't have to fear for their jobs or their reputation just because they spoke up about something that wasn't right. Clear standards for everyone. This bill provides the "schematics" for how these issues should be handled. When the rules are clear and the procedures are transparent, it prevents confusion and ensures fairness for everyone involved. As someone who plans to be part of Hawaii's workforce for a long time, I want our state to be a place where hard work is what matters most. Strengthening these protections is a common-sense move for a better work environment. I respectfully urge the committee to pass SB 3024.

SB-3024

Submitted on: 2/17/2026 3:13:36 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Loretta Tanioka	Individual	Support	Written Testimony Only

Comments:

Aloha, ka'u inoa Loretta, and I am a kupuna in my 80s. I have lived in Hawaii for many years, and I am writing to you today to ask for your full support of SB 3024.

In my eighty-plus years, I have seen our islands grow and change in many wonderful ways. However, I also remember a time when women had very few protections in the workplace or in schools. I have seen how "hush-hush" harassment used to be, and I have seen the pain it caused to my friends, my daughters, and now, my granddaughters.

I am supporting this bill because I don't want the next generation to have to "just put up with it" like many did in the past. I support SB 3024 because I want my granddaughters to go to the University of Hawaii or start their first jobs knowing that the law is on their side. They should be able to focus on their dreams without the shadow of sex-based discrimination. The importance of speaking up. This bill's focus on preventing retaliation is so important. In my day, people were often too afraid to speak up because they knew they would be the ones who lost their jobs or their reputations. We must make sure that fear is a thing of the past. Respect for everyone. Whether it is a young woman starting out or someone facing challenges due to pregnancy, every person deserves to be treated with the dignity that we value so highly here in Hawaii. At my age, I think a lot about the future we are leaving behind. Passing SB 3024 is a way to ensure that Hawaii remains a place of fairness and aloha for all our children and grandchildren. Show aloha and vote to pass SB 3024.

SB-3024

Submitted on: 2/17/2026 3:19:01 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Tonya Lee	Individual	Support	Written Testimony Only

Comments:

My name is Tonya, and I am a 43yr old woman living here in Hawaii. I am writing to you today to express my deepest support for SB 3024.

I do not take the protections offered by this bill lightly. I come from a background where the government and the legal system were not designed to protect women, but rather to maintain a system of inequality. I have lived under oppressive structures where sex-based discrimination was the norm and where speaking up against harassment was met with severe retaliation rather than justice.

Because of my past, I know exactly what it looks like when a society fails to protect its most vulnerable members. I also know that freedom and equality are not "automatic"—they must be written into our laws and defended by our leaders.

I support SB 3024 because in my experience, if the law is vague, it is used against those without power. This bill provides the clarity and strength needed to ensure that "sex-based discrimination" is not tolerated in our schools or workplaces. In oppressive systems, fear of the "consequences" for reporting abuse is what keeps the system alive. By strengthening anti-retaliation laws, Hawaii is choosing to be a place of courage and safety. This bill ensures that a person's gender or pregnancy status does not dictate their worth or their opportunities.

I am proud to live in a place where we can even have this conversation. However, we must ensure our laws are as strong as the values we claim to hold. Please pass SB 3024 to ensure that the oppression I have seen elsewhere never finds a foothold here in Hawaii.

Please pass SB 3024. Mahalo nui loa

My name is Keira. I am a student, and I have recently started my very first job. I am writing to you today to ask you to please pass SB 3024.

As a young woman just entering the workforce while stay trying to finish my education, I am realizing how important it is to have clear rules that protect people from discrimination. Starting my first job is exciting, but it can also be intimidating. I want to be able to focus on doing a good job and learning new skills without having to worry about being treated differently or feeling unsafe because I am a female.

I support SB 3024 because I want to feel safe at work and school. Between classes and my shifts, I spend most of my day in environments where I have to trust the people in charge. This bill helps ensure that trust is earned by holding people accountable for harassment or unfair treatment. Protection from retaliation. As someone new to the workforce, I would be very nervous to speak up if I saw something wrong happen. Knowing that the law protects me from being "punished" for reporting discrimination gives me the confidence to stand up for myself and others. Building a future in Hawaii. I want to stay in Hawaii and build my career here after I graduate. Passing this bill shows my generation that our leaders care about making our workplaces professional, fair, and safe for everyone.

Even though I am just starting out, I know that having strong laws like SB 3024 will make a huge difference for me and my friends as we grow up and start our careers.

Thank you for listening to my voice and for working to protect young workers like me.

SB-3024

Submitted on: 2/17/2026 7:48:08 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Bejana Mehr	Individual	Support	Written Testimony Only

Comments:

I Support SB 3024 because discrimination has no place in the Aloha State.

SB-3024

Submitted on: 2/17/2026 8:25:01 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Laura Schauben	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of SB3024

My name Laura Schauben and I am submitting testimony in strong support of SB3024. Both personally and professionally, I have witnessed the profound negative impacts of sexual and gender-based harassment on young people. Whether the harm takes the form of sexual violence, harassment, or the targeting of transgender youth, the effects are deeply damaging and long-lasting.

In my work, I routinely see how such harassment disrupts students' ability to learn, to feel safe, and to show up fully in their school environment. Their mental health declines. Their sense of belonging erodes. Many begin to disengage academically and socially, not because of who they are, but because of the hostility or disregard they face.

Research is clear that just one accepting adult reduces the risk of a suicide attempt among LGBTQ youth by 40%.

Similarly, girls and LGBTQ+ youth—who are disproportionately targeted for violence—heal more effectively when their support systems recognize and affirm every aspect of who they are. Trauma recovery depends on feeling safe, seen, and understood.

The measures outlined in SB3024—whether strengthening safeguards to prevent predatory behavior, or simply ensuring that a young person's chosen name and pronouns are respected—are far less to ask of school systems than the weight of working with the impact of trauma and revictimization that results from not having these protections. They are basic conditions for dignity, safety, and well-being. These protections are essential for youth to thrive.

Supporting this bill means protecting all young people from harm. It means acknowledging that respectful environments do not happen by accident; they are created through intentional and inclusive policy that prioritizes youth wellbeing over adult fear and prejudice.

I urge you to pass SB3024.

Thank you for your time and consideration.

VISIBILITY BRIGADE HONOLULU Rush Hour Resistance

Written Testimony in Support of Senate Bill 3024

Aloha Respected Committee Members,

My name is Ben Lessard and I am one of the leads of Visibility Brigade Honolulu. My group members and I request that you support SB3024. This bill is extremely important both from an equity and a civil rights perspective. Hawai'i has been a leader in inclusion and anti-discrimination laws to date and we should continue as an example in this arena to the Nation. We need to keep our state as internally protected as possible to ensure that all residents are shielded against undue harm.

SB3024 highlights the need for expanded protections against sex based discrimination and this bill will help to strengthen coverage for everyone that is on a campus, from students to employees. These protections move one step closer to keeping the most vulnerable among us safe and stopping unnecessary harassment, retaliation and discrimination. Please protect all people and vote to support SB3024.

Thank you for continuing to promote equality for all people with your vote.

Ben Lessard

Visibility Brigade Honolulu

visibilitybrigadehonolulu@gmail.com

#VISIBILITYBRIGADE
HONOLULU



Written Testimony in Support of Senate Bill 3024

Aloha Distinguished Committee Members,

My name is Tara Nash and I am the lead of Indivisible Leeward Oahu. My members and I humbly request that you support SB3024 to protect against sex-based discrimination in our state. Supporting this bill is much needed to bolster anti-discrimination laws in Hawai'i. My Masters thesis at the University of Hawai'i at Manoa was on the prevalence of abuse, substance use and STD's at females at UH Manoa. My advisory committee was appalled by how commonplace these situations are, even with students on campus. Abuses at educational institutions and on campuses in Hawai'i are so commonplace that I personally know of multiple situations ranging from kids in Kindergarten being inappropriately touched through rapes on college campuses. There is currently no effective mechanism in place to actually bring the perpetrator to justice or seek recourse as a victim, this is unacceptable.

SB3024 establishes investigational procedures and a standard for determining violations which are also extremely necessary to ensure that justice is served. Supporting this bill would establish mandatory reporting requirements for non confidential employees to report incidents to the Title IX coordinators. It would ensure that there are response mandates required by the Educational Institutions so that the individual has rights to stand up against harassment, discrimination or wrong doing. This bill is clarifying and strengthens protections for those who need them. We humbly ask this elected body to protect all Hawai'i residents against gender discrimination and vote in support of SB3024.

Thank you for your time and consideration.

Tara Nash

Indivisible Leeward Oahu

indivisibleleewardoahu@gmail.com

COMMITTEE ON EDUCATION
Senator Donna Mercado Kim, Chair
Senator Michelle N. Kidani, Vice Chair

HEARING:

Wednesday, February 18, 2026 at 1:02 pm
Conference Room 229 & Videoconference
State Capitol
415 South Beretania Street

TESTIMONY IN SUPPORT OF SB 3024 - RELATING TO SEX-BASED DISCRIMINATION.

Aloha Chair Mercado Kim, Vice Chair Kidani, Sen. Hashimoto representing my district, and Members of the Committee,

My name is Christine Andrews and I am a long-time resident of Wailuku, Maui, and a lawyer licensed in Hawai'i for over 25 years. I write you today in **strong support of SB 3024**, Relating to Sex-Based Discrimination, which clarifies and strengthens the State's protections against sex-based harassment, sex discrimination, and retaliation that occur in public schools, public charter schools, or at the University of Hawaii, including discrimination based on gender identity or expression, sexual orientation, pregnancy, and pregnancy-related conditions. SB 3024 also establishes procedures for investigations and decision-making and requires mandatory reporting by certain employees.

I grew up in Connecticut, and arrived in Honolulu in January, 1992 to matriculate as a graduate student at the University of Hawai'i at Manoa. This was shortly after Anita Hill testified in the Clarence Thomas confirmation hearings, and sexual harassment was at the forefront of the nation's collective conscience. At the time, sexual harassment was also a subject top of mind for female graduate students. As the result of sexual harassment litigation by a graduate student against her mentor at UHM, a new student advocate position had been created, and I was recruited to train graduate assistants, staff, and professors on sexual harassment prevention. I also witnessed sexual discrimination at UHM during my time pursuing a Master's degree there. There was one instructor in a course mandated by my program who had the habit of not calling on any female students and giving preference to male students. We never filed any complaints about this behavior, it was more of the eye-roll kind of thing. Still, it impacted our educational experience and was not something to be tolerated. My fellow female students and I engaged in some self-help. After we became fed up with this behavior of being ignored in class we all decided to sit together in the front row from that point forward so we could not be avoided. That effectively solved that.

While what happened to me was a minor experience, I was active with the Committee on the Status of Women at UH as well the Honolulu Committee on the Status of Women. I witnessed sexual discrimination at UHM in the tenure process. My experience with female mentors at UHM was positive, but witnessing the institutional sexism my female professors experienced at UHM was so demoralizing that, rather than pursue a PhD at UHM, which I had been invited to do, I chose to leave academia to focus on gender policy. It is hard to convey how impactful this was. I had spent six years in undergraduate, a year of post-baccalaureate work, and then my Master's degree program, and I chose to leave the field entirely directly as the result of witnessing sexual discrimination at UHM. This was in the early 1990's. It would be nice to think that things have changed since then, but my daughters have had similar experiences.

Unfortunately, we have seen the efficacy of Title IX federal protections eroded. As a result, in 2018, Hawai'i created a Title IX State Corollary to prohibit discrimination on the basis of sex, including gender identity or expression, or sexual orientation, in any state educational program or activity, or in any educational program or activity that receives state financial assistance.

While that was an important protective measure to ensure equity, the Title IX State Corollary did not go far enough. Senate Bill 3024 is designed to make necessary improvements. These include strengthening the protections against sex-based discrimination; clarifying protections for LGBTQI+, pregnant, parenting students at University of Hawai‘i and public schools in Hawai‘i; creating enforcement provisions to Title IX State Corollary; and adding private civil lawsuits as an enforcement mechanism.

We need these changes because the U.S. Department of Education has rolled back rules¹ making it easier for schools to dismiss sex-based discrimination, harder to hold perpetrators of sexual harassment and assault accountable, and more difficult for survivors to get the protections they need.²

With the current federal rules, only a fraction of unlawful sex-based discrimination including sexual harassment, gender-based harassment, and sexual assault are reported at University of Hawai‘i and Hawai‘i DOE schools. Only a fraction of the students who report get the protections they need.

Only 577 Title IX reports were made during the 2023-2024 academic year at University of Hawai‘i and only 14 moved forward formally.³ In comparison, the 2023 Report of University of Hawai‘i Student Campus Climate Survey on Sexual Harassment and Gender Violence⁴ reports:

- 11.4% of survey participants experienced sexual harassment at anytime while enrolled at University of Hawai‘i
- 9% experienced stalking
- 17.1% experienced dating and domestic violence
- 6.9% experienced non-consensual sexual contact

Only 438 complaints have been reported to the Hawai‘i Department of Education during the 2023-2024 academic year.⁵ In comparison, the Centers for Disease Control and Prevention (CDC) Youth Risk Behavior Survey 2021⁶ reports:

- 13.4% of female high school students in Hawai‘i surveyed and 4.9% of male students experienced sexual violence during the 12 months before the survey.

Sexual harassment and violence in schools create hostile environments and can negatively impact students’ learning, mental health, wellbeing, and continuation with the education. With a patchwork of federal court rulings and state laws, LGBTQI+ students are often left without a solution when they are bullied or harassed at school based on their sexual orientation or gender identity. Pregnant and parenting students continue to face discrimination and barriers in access to education, and are often steered toward separate, less rigorous schools or programs.

The private civil lawsuit provided by SB 3024, with provisions for compensatory and punitive damages, as well as injunctive relief, is a necessary and robust enforcement mechanism for a state-level Title IX equivalent.

Based upon my own personal experience, and the experiences of my daughters and their classmates, I respectfully request that you vote in support of SB 3024.

Mahalo,

Christine Andrews, J.D.
Wailuku, Maui

¹ <https://www.atixa.org/blog/atixas-guide-to-complying-with-the-2020-regulations-again/>

² <https://www.aauw.org/resources/news/media/press-releases/aauw-denounces-district-courts-decision-to-v-acate-2024-title-ix-rules/>

³ https://www.capitol.hawaii.gov/sessions/session2026/bills/DC22_.PDF

⁴ <https://www.hawaii.edu/titleix/documents/13675/>

⁵ https://www.hawaiipublicschools.org/DOE%20Forms/Lege/DOE_REPORT2025_TitleIX.pdf

⁶ <https://youthonline.cdc.gov/#/data?topics=ALL&location1=HI&year1=2021>

Testimony on SB3024
Senate Committee on Education
February 18, 2026

Dear Chair Kim, Vice Chair Kidani, and Members of the Committee:

I am Donna Van Osdol from Mililani, Hawaii. I submit testimony in opposition to this bill.

Title IX has long served as a foundational civil rights protection ensuring that no student is denied equal educational opportunity on the basis of sex. Hawaii has rightfully honored Congresswoman Patsy Mink's legacy in protecting women and girls in education. However, this bill creates sweeping mandates that introduce legal ambiguity, expanded liability, and significant administrative burdens for our public schools and university system.

The bill requires access to bathrooms, locker rooms, and sex-segregated activities based solely on gender identity. I am sure Congresswoman Patsy Mink would not approve this policy because there are simply no safeguards in place to protect our young ladies in schools while using locker rooms and restrooms. We already know this has been highly problematic in the past.

The proposed legislation dramatically expands civil liability by authorizing private lawsuits, including punitive damages, against any educational program receiving state funds. Expensive lawsuits will surely divert resources away from classrooms and into legal defense.

SB3024 bill codifies broad and subjective definitions of "sex-based harassment." Educational environments must protect students from harassment while also safeguarding constitutional freedoms.

Protecting students from genuine discrimination and harassment is essential. However, this proposal goes beyond that goal and instead turns policy mandates, questionable and opposed by many in our communities, into statute without sufficient fiscal impact analysis.

I humbly ask to hold this bill until further research can be made regarding the financial implications, the restroom/locker room gender issue can guarantee the safety of our female students; and that parents have better input into this proposed legislation.

Again, I am opposition to this bill. Thank you for your time and consideration,

Aloha Chair Kim, Vice Chair Kidani, and Members of the Committee,

My name is Macy Rose, and I am a student at the University of Hawaiʻi at Mānoa. I am writing in strong **support of SB3024.**

Students should not have to trade their safety for an education. Yet across Hawaiʻi, and at the University of Hawaiʻi, many students continue to experience sex-based harassment, discrimination, and retaliation in spaces where they should feel protected. These experiences do not only affect academic performance, they affect mental health, housing stability, and a student's ability to remain in school.

SB3024 is a necessary step forward because it strengthens Hawaiʻi's protections against sex-based harassment, sex discrimination, and retaliation in public schools, public charter schools, and at the University of Hawaiʻi. These protections are not abstract. They represent and protect real students.

SB3024 establishes clearer procedures for investigations and decision-making. Students who go through this type of discrimination deserve a process that is consistent, transparent, and fair. When institutions do not respond promptly or fail to act, student safety is marginalized and the message is that accountability is negotiable.

The urgency of this legislation is reflected in the University of Hawaiʻi's own reporting. UH Mānoa has reported that out of 265 complaints involving sexual assault, gender-based discrimination, harassment, and domestic abuse, only 2 cases, or approximately 0.7%, resulted in an investigation in which a formal decision was made. These numbers are alarming. They highlight the need for stronger statewide standards and clearer requirements to ensure that complaints are taken seriously and responded to appropriately.

SB3024 also strengthens mandatory reporting requirements, which is critical. Students often remain silent because they fear retaliation, believe nothing will happen, or do not trust the system to protect them. A system that encourages silence allows harm to continue. Just because someone does not personally experience sex-based discrimination or harassment does not mean it is not happening or that it is not affecting a broader community. Students are asking the Legislature to step in and help make our schools and campuses safe. Students have been asking the University of Hawaiʻi for stronger Title IX resources, clearer procedures, and meaningful prevention efforts for years, yet students continue to experience harassment and discrimination with little visible change. What will it take for meaningful action to finally occur?

This bill is about more than policy. It is about whether schools will uphold the basic promise that every student deserves to have an education space free from discrimination and harassment.

For these reasons, I respectfully urge you to support SB3024 and move this bill forward.

Macy Rose

ʻUaʻa

Senator Donna Mercado Kim, Chair
Senate Committee on Education

SB 3024, Relating to Sex-Based Discrimination
Wed. Feb. 18, 2026
1pm Conf. Room 229

Position: Support

Thank you Chair Kim & Committee for hearing this bill, SB 3024 to re-instate and codify Title IX protections in State statute. I support this bill.

Title IX protections that explicitly identify LGBTQ+ students as well as pregnant and parenting students are needed. We know that federal protections through the federal Dept. of Education are being rolled back. Our schools and college campuses need to be environments free of sex and gender discrimination.

As an employee at Univ. of Hawaii that works with pregnant and parenting students, I know that TitleIX protections are important and necessary.

I suggest that along with strong statutory protections, the legislature acknowledge and fund prevention education programs, like the PAU Violence program at UH; as well as additional "confidential advocates" for students. Their work is impactful and benefits students directly, as they share the process and options available to students.

As a member of AAUW-Hawaii and the community, I urge you to support SB 3024.

Teresa Bill

LATE

SB-3024

Submitted on: 2/17/2026 1:15:31 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Monk	Individual	Support	Written Testimony Only

Comments:

Testimony In support of SB3024– Relating to Sex-Based Discrimination

I support SB3024 to strengthen the protects of Title IX.

1. years ago, Patsy T. Mink drafted and Congress passed Title IX to bar sex-based discrimination in Federally funded education. More recently, the State of Hawaii banned sex-based discrimination in State funded education, becoming the first state to include protections for LGBTQ students. SB3024 will again strengthen Title IX protections and now include pregnant students. At a time when our rights are being eroded, we should be proud that our state continues to defend the rights of the people of Hawaii. I support this bill and hope the Legislature will pass in at the earliest opportunity.

Thank you,

Amy Monk

LATE

SB-3024

Submitted on: 2/17/2026 3:31:40 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Eileen M Gawrys	Individual	Support	Written Testimony Only

Comments:

Please pass this bill to strengthen Title IX in our state. The current Federal administration is finding ways to peel back protections and pro-active measures are vital.

eileen gawrys

ewa beach, HI, OAHU

member AAUW

LATE

SB-3024

Submitted on: 2/17/2026 6:08:38 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Pamela Lundquist	Individual	Support	Written Testimony Only

Comments:

The updates that this bill creates are critical as federal Title IX protections have become inconsistent, leaving gaps in enforcement that disproportionately harm girls, LGBTQI+ youth, and pregnant/parenting students. Please make sure our young people are protected from sexual harassment! Thank you.

LATE

SB-3024

Submitted on: 2/17/2026 6:19:05 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Laura Ezzy	Individual	Support	Written Testimony Only

Comments:

I support SB3024 because it ensures more protections for the civil rights of people in Hawaii to access education.

Mahalo Nui Loa,

Laura Ezzy MSW

Haiku, Maui

LATE

SB-3024

Submitted on: 2/17/2026 7:01:07 PM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Avery J Bryce	Individual	Support	Written Testimony Only

Comments:

My name is Avery Bryce, I live in Hilo, Hawai'i, and I support this bill. It protects survivors' right to education.

LATE

SB-3024

Submitted on: 2/18/2026 4:19:33 AM

Testimony for EDU on 2/18/2026 1:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Celia Bardwell-Jones	Individual	Support	Written Testimony Only

Comments:

I am testifying as an Individual Citizen. I live in Onomea on Hawai'i Island.

This bill will help to support LGBTQI+, pregnant, parenting students at the University of Hawai'i and public schools in Hawai'i.

Our students deserve to attend school without the threat of sexual harassment and violence in schools.