

HB-225-HD-1

Submitted on: 2/13/2021 7:49:17 AM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Itai Bradshaw-Lang	Individual	Support	No

Comments:

The 2017 and 2018 Sexual and Gender Minority reports on our local LGBTQ highschool students showed they were more likely to be bullied. Please pass this measure to support non-punitive approaches to addressing bullying.

Mahalo for your time and consideration of this issue.

HB-225-HD-1

Submitted on: 2/13/2021 5:39:23 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tami Whitney	Individual	Support	No

Comments:

Aloha,

The 2017 and 2018 Sexual and Gender Minority reports on our local LGBTQ highschool students showed they were more likely to be bullied. Please pass this measure to support non-punitive approaches to addressing bullying.

Thank you,

Tami Whitney

HB-225-HD-1

Submitted on: 2/14/2021 11:51:17 AM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
roxanne koster	Individual	Support	No

Comments:

The 2017 and 2018 Sexual and Gender Minority reports on our local LGBTQ highschool students showed they were more likely to be bullied. Please pass this measure to support non-punitive approaches to addressing bullying.

mahalo

Roxanne Koster

HB-225-HD-1

Submitted on: 2/14/2021 1:48:43 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Honolulu County Republican Party	Support	No

Comments:

Honolulu County Republican Party SUPPORTS HB-225.

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Carole Gruskin, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of Hawaii

Big Island Substance Abuse Council

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of West Hawaii

Friends of the Children's Justice Center of Maui

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action Network

Hawaii Health & Harm

Reduction Center

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Kokua Ohana Aloha (KOA)

Maui Youth and Family Services

Na Pu'uwai Molokai Native

Hawaiian Health Care Systems

P.A.R.E.N.T.S., Inc.

Parents and Children Together (PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the Great Northwest and

Hawaiian Islands

Residential Youth Services

& Empowerment (RYSE)

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community Center

The Catalyst Group

February 14, 2021

To: Representative, Chair Marl Nakashima, Chair
And members of the Committee on Judiciary and Hawaiian Affairs

Testimony in Support of HB 225 HD 1 Relating to Bullying

Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports HB 225HD 1 Relating to Bullying

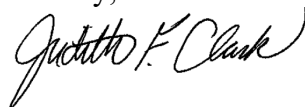
For 9 out of the past 13 years, bullying has been one of the top concerns of the youth who participate in the annual Children and Youth Summit at the State Capitol each October. They tell us that teachers and other school staff do not respond effectively when they witness bullying or bullying is reported by students.

As one concerned grandparent told me, "We are teaching our granddaughter about the issue. Last year she reported 3 kids to teacher because they were taunting a home less girl...{My granddaughter said the teacher just told them not to do again...the kids got nothing out of it."

According to the Hawaii Youth Behavioral Risk Survey, Hawaii has a low rate of youth violence in almost every area except bullying. The number of youth who have stated that they were afraid to go to school or have missed school due to bullying is much higher than the national average. 22.6% of middle school students in Hawaii were cyber-bullied, 40% were bullied on school property, 23.1% seriously considered suicide, and 12.4% attempted suicide during past 12 months.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH
Executive Director

HB-225-HD-1

Submitted on: 2/14/2021 4:28:37 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Tomita	Individual	Support	No

Comments:

The 2017 and 2018 Sexual and Gender Minority reports on our local LGBTQ highschool students showed they were more likely to be bullied. Please pass this measure to support non-punitive approaches to addressing bullying.

mahalo,

Kevin Tomita

HB-225-HD-1

Submitted on: 2/14/2021 10:17:55 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thaddeus Pham	Individual	Support	No

Comments:

Aloha JHA Committee,

As a public health professional concerned citizen, I am writing in SUPPORT of HB225 HD1.

The 2017 and 2018 Sexual and Gender Minority reports on our local LGBTQ highschool students showed they were more likely to be bullied.

Please pass this measure to support non-punitive approaches to addressing bullying.

Mahalo,

Thaddeus Pham (he/him)



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/04/2021

Time: 02:00 PM

Location: Via Videoconference

Committee: House Education

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: HB 0225 RELATING TO BULLYING.

Purpose of Bill: Requires the board of education to develop a bullying prevention and response action plan. Requires the board of education to report annually to the legislature. Repeals Act 214, Session Laws of Hawaii 2011.

Department's Position:

The Hawaii State Department of Education (Department) supports the intent of HB 225 and respectfully offers comments:

The Department currently has a bullying prevention and response plan in place. The Department fosters positive and safe learning environments for all students and staff by creating a culture of respect, responsibility, and resiliency. The Department does not tolerate bullying on any of its campuses, transportation, and/or during sponsored activities.

In order to ensure the emotional and physical safety of our students, the Department instituted a comprehensive three-tiered bullying prevention and response plan using the Hawaii Multi-Tiered System of Supports framework. The Hawaii Multi-Tiered System of Supports engages school teams to regularly assess and monitor bullying prevention efforts and individual student needs (academic, social-emotional, behavior and physical) in three areas:

- Prevention (before the bullying occurs);
- Reporting (addressing the bullying incidents); and
- Follow-Up (providing post-incident support to both the complainant and respondent).

The Department's procedures for investigating and remedying student bullying, harassment, and retaliation incidents can be found in Hawaii Administrative Rules Chapter 19. This extensive rule includes updated definitions for bullying, harassment, and cyberbullying. It also includes a complaint procedure for bullying, harassment (sexual), discrimination and/or retaliation. This complaint procedure ensures that students' complaints are addressed and students are provided with immediate interventions and support during the complaint investigation. Within this complaint procedure, parents of the public school students who were either the complainant or respondent are provided with the notice of the investigation, immediate interventions, investigation findings and remedies. The respondent's parents or guardians receive information on any assigned disciplinary action. The Department's procedures for investigating and remedying issues of bullying and harassment amongst employees and volunteers can be found in the Department's Code of Conduct, Board of Education Policy #305-10, and Board of Education Policy #900-1.

School administrators record bullying, harassment, and retaliation incidents into the Infinite Campus Behavior Management System. Data collected in Infinite Campus includes type of incident, time of incident, type of offense, immediate interventions, investigation findings, informal resolution, disciplinary action, and remedies. School teams identify, monitor, and track bullying incidents to determine the effectiveness of current programs and practices. The number of bullying incident reports for the last three school years are stated below:

School Year	Number of Bullying Incidents
2017-2018	506
2018-2019	511
2019-2020	257

Bullying, harassment, and retaliation incidents can be reported to any school personnel, the Civil Rights Compliance Branch, Complex Area Superintendents, and the Superintendent. Anonymous reports may be made to the Department's confidential fraud and ethics hotline (855-233-8085) or at the Department's online reporting service (secure.ethicspoint.com/domain/media/en/gui/57591/index.html). High school and middle school students may report bullying incidents on the Speak Now HIDOE Anti-Bullying Mobile Application anonymously.

Additionally, the Department's school personnel provide support services to both the complainant and respondent to prevent future incidents from occurring. Examples of these supports include but are not limited to the following:

- Individual school counseling - A service that is provided to students to immediately meet their needs and concerns.
- Check in/out - A behavior strategy where students start their day by checking in with an adult to promote positive behavior throughout the day. Students also spend a few minutes at the end of each day with an adult to review their daily progress.
- Student and/or Parent Conference - A scheduled meeting to discuss a student's

academic and/or behavior concerns.

The Department would possibly violate the Family Educational Rights Privacy Act (FERPA) if the Department were to disclose to the Legislature case-by-case student level bullying data. This is due to the confidentiality issues of possible student identification. However, the Department can generate the count of bullying incidents to the legislature by students, employees, and volunteers. Additionally, the amount of attention and resources to provide bullying incident counts for each student, employee and volunteer will be a tedious and time consuming process for the designated school level personnel. The data sources that currently exist are comprehensive and give schools the opportunity to review trends, strengths and needs to support their school improvement planning.

Thank you for the opportunity to provide testimony on this measure.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.



February 16, 2021

Representative Mark Nakashima
415 South Beretania Street
Honolulu, HI 96813

RE: Support of HB 225 - Relating to Bullying

Dear Chair Nakashima, Vice Chair Matayoshi, and Judiciary & Hawaiian Affairs Committee,

The Trevor Project writes to support HB 225, which would require the Board of Education to develop a bullying prevention and response action plan.

The Trevor Project is the world's largest suicide prevention and crisis intervention organization for LGBTQ (lesbian, gay, bisexual, transgender, queer, and questioning) young people. We work to save young lives by providing support through free and confidential suicide prevention and crisis intervention programs available via our 24/7 phone lifeline, chat, and text services; TrevorSpace, the world's largest safe space social networking site for LGBTQ youth, and through our innovative education, research, and advocacy programs.

The CDC reported that in 2017 there were more than 47,000 deaths by suicide, with over 6,200 of those deaths being people ages 15-24, making suicide the second leading cause of death among young people ages 10 to 24. The rate of suicide in all age groups has continued to steadily rise in the last decade, and the rate of suicide among children ages 10 to 14 has doubled. The Trevor Project's 2020 National Survey on LGBTQ Youth Mental Health showed that 40% of LGBTQ youth seriously considered attempting suicide in the past twelve months, with more than half of transgender and nonbinary youth having seriously considered it.

The 2020 National Survey on LGBTQ Youth Mental Health also showed that discrimination and physical harm increases the likelihood of suicide attempts in LGBTQ young people. Young people who experienced physical harm were 3 times as likely to attempt suicide than those who had not. Preventing and responding to bullying will reduce negative impacts on LGBTQ young people's mental health and well-being. HB 225 will require educational institutions to provide educators with the means necessary to address bullying in schools.

For these reasons, The Trevor Project strongly supports HB 225. Should you have any questions or if we can be of any assistance regarding this matter, please do not hesitate to contact me at 202-768-4413 or Sam.Brinton@TheTrevorProject.org.

Sincerely,

Sam Brinton
Vice-President of Advocacy and Government Affairs
The Trevor Project

HB-225-HD-1

Submitted on: 2/16/2021 9:28:55 AM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nikki-Ann Yee	Individual	Support	No

Comments:

The 2017 and 2018 Sexual and Gender Minority reports on our local LGBTQ highschool students showed they were more likely to be bullied. Please pass this measure to support non-punitive approaches to addressing bullying.



**STATE OF HAWAII
BOARD OF EDUCATION**
P.O. BOX 2360
HONOLULU, HAWAII 96804

House Committee on Judiciary & Hawaiian Affairs

Wednesday, February 17, 2021
2:00 p.m.
Via Videoconference
Hawaii State Capitol, Room 325

House Bill 225, House Draft 1, Relating to Bullying

Dear Chair Nakashima, Vice Chair Matayoshi, and Members of the Committees:

The Board of Education ("Board") appreciates the intent of HB 225 HD1 but has comments. HB 225 HD1 would require the Board to develop a bullying prevention and response action plan and report annually to the Legislature.

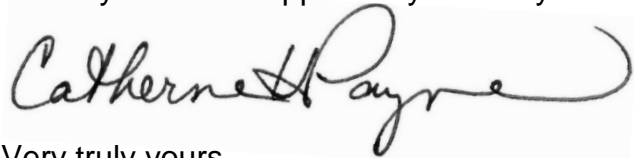
The Board has long advocated for safe learning environments that ensure the wellbeing of students and recognizes bullying as a severe issue.

However, the Board has significant concerns with this measure as currently drafted. The Board generally does not support measures that create additional duties or responsibilities for the Board or Department of Education ("Department") without appropriating adequate, commensurate resources to accomplish such duties or responsibilities. In its current form, this measure creates substantially more work for the Board and Department without any funding to accomplish their new responsibilities.

To be clear, the Board's preference is to defer this measure to another year when funding is not in such short supply, as the Board top priority is preserving funding and resources for student learning at the classroom level.

In addition, the Board believes the responsibility to implement programs and execute plans should lie with the Department, as the Board's fundamental purpose is to create educational policy, pursuant to the Constitution of the State of Hawaii. Therefore, if the Committee still decides to pass this measure, the Board requests that the Committee amend it to place the responsibility to develop and implement a bullying prevention and response action plan with the Department.

Thank you for this opportunity to testify on behalf of the Board.

A handwritten signature in black ink that reads "Catherine Payne". The signature is written in a cursive style with a large, looping initial "C" and a long, sweeping tail that ends in a hook.

Very truly yours,

Catherine Payne
Chairperson, Board of Education
Chairperson, 2021 Legislative Ad Hoc Committee

DAVID Y. IGE
GOVERNOR



DR. CHRISTINA M. KISHIMOTO
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/17/2021

Time: 02:00 PM

Location: 325 Via Videoconference

Committee: House Judiciary & Hawaiian
Affairs

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: HB 0225, HD1 RELATING TO BULLYING.

Purpose of Bill: Requires the board of education to develop a bullying prevention and response action plan. Requires the board of education to report annually to the legislature. Repeals Act 214, Session Laws of Hawaii 2011. Effective 7/1/2050. (HD1)

Department's Position:

The Hawaii State Department of Education (Department) supports the intent of HB 225, HD 1 and respectfully offers comments:

The Department fosters positive and safe learning environments for all students and staff by creating a culture of respect, responsibility, and resiliency. The Department does not tolerate bullying on any of its campuses, transportation, and/or during sponsored activities.

In order to ensure the emotional and physical safety of our students, the Department instituted a comprehensive three-tiered bullying prevention and response plan using the Hawaii Multi-Tiered System of Supports framework. The Hawaii Multi-Tiered System of Supports framework engages school teams to regularly assess and monitor bullying prevention efforts and individual student needs (academic, social-emotional, behavioral, and physical) in three areas:

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harassment, and retaliation incidents can be found in Hawaii Administrative Rules Chapter 19. This extensive rule includes updated definitions for bullying, harassment, and cyberbullying. It also includes a complaint procedure for bullying, harassment (sexual), discrimination and/or retaliation. This complaint procedure ensures that students' complaints are addressed and students are provided with immediate interventions and support during the complaint investigation. Within this complaint procedure, parents of the public school students who were either the complainant or respondent are provided with the notice of the investigation, immediate interventions, investigation findings and remedies. The respondent's parents or guardians receive information on any assigned disciplinary action. The Department's procedures for investigating and remedying issues of bullying and harassment conducted by employees and volunteers can be found in Hawaii Administrative Rules Chapter 89 (Civil Rights Policy and Complaint Procedure for Student(s) Complaints Against Adult(s)), the Department's Code of Conduct, Board of Education Policy #305-10, and Board of Education Policy #900-1.

School administrators record bullying, harassment, and retaliation incidents into the Infinite Campus Behavior Management System. Data collected in Infinite Campus includes type of incident, time of incident, type of offense, immediate interventions, investigation findings, informal resolution, disciplinary action, and remedies. School teams identify, monitor, and track bullying incidents to determine the effectiveness of current programs and practices. The number of bullying incident reports for the last three school years are stated below:

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minutes at the end of each day with an adult to review their daily progress.

- Student and/or Parent Conference - A scheduled meeting to discuss a student's academic and/or behavioral concerns.

The Department would possibly violate the Family Educational Rights Privacy Act if the Department were to disclose to the Legislature case-by-case student-level bullying data. This is due to the confidentiality issues of possible student identification. However, the Department can generate the total count of bullying incidents to the legislature by students, employees and volunteers. Student discipline bullying incidents are included in the annual discipline report to the legislature and posted on the Department's website (hawaiipublicschools.org/VisionForSuccess/SchoolDataAndReports/StateReports/Pages/Discipline-and-Restraint-Reports.aspx). Additionally, the Department may add bullying victim counts to the annual discipline reports to the legislature as well as posting the information on the Department's website.

The amount of attention and resources to provide bullying incident counts for each student, employee and volunteer will be a tedious and time-consuming process for the designated school-level personnel. The data sources that currently exist are comprehensive and give schools the opportunity to review trends, strengths and needs to support their school improvement planning.

Thank you for the opportunity to provide testimony on this measure.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.

HB-225-HD-1

Submitted on: 2/16/2021 11:20:50 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Khara Jabola-Carolus	Hawai'i State Commission on the Status of Women	Support	No

Comments:

Dear Chair, Vice Chair, and Honorable Members,

The Hawai'i State Commission on the Status of Women strongly supports HB225, relating to bullying. Gender-based harm is learned. Unlearning gender violence starts with identifying it, and creating a culture of safety and accountability among our children. HB225, along with measures to strengthen the Title IX system, is particularly important to advance the protection of transgender and gender nonconforming students on our campuses. Accordingly, the Commission asks that the Committee pass this measure.

Sincerely,

Khara Jabola-Carolus