

STAND. COM. REP. NO. 1533

Honolulu, Hawaii

APR 10 2015

RE: H.B. No. 819
H.D. 2
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Judiciary and Labor and Ways and Means, to which was referred H.B. No. 819, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BULLYING,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require state and county agencies and grantees that serve youth to adopt bullying prevention policies;
- (2) Establish a bullying prevention task force within the Department of Education to assist the Governor with bullying prevention policies in the State;
- (3) Amend section 302D-34, Hawaii Revised Statutes, to clarify that a public charter school shall not discriminate against any student or limit admission based on, among other factors, sex, including gender identity or expression, rather than based on gender; and
- (4) Appropriate an unspecified amount to the Department of Education for fiscal years 2015-2016 and 2016-2017 for resources and staff support necessary for the bullying prevention task force.

Your Committees received testimony in support of this measure from the Hawaii Civil Rights Commission; State Council on

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Developmental Disabilities; State Public Charter School Commission; Women's Caucus, Democratic Party of Hawaii; Hawaii State Teachers Association; Hawaii Youth Services Network; Americans for Democratic Action; Gay, Lesbian, and Straight Education Network (GLSEN) Hawaii; Human Rights Campaign; Equality Hawaii; Parents and Children Together; and thirty-five individuals. Your Committees received comments on this measure from two individuals.

Your Committees find that this measure is an important step toward bolstering youth safety by clearly defining bullying across all youth-serving agencies. Anti-bullying policies will help adults and children better identify bullying and understand how to intervene. Before children can focus on learning, they must feel safe and free from intimidation and threats of violence or humiliation. Bullying not only impedes learning, but is also a leading cause of youth suicide. This measure will work to identify bullying and empower youth and adults to end it.

Your Committees note that this measure administratively attaches the bullying prevention task force to the Department of Education. Your Committees encourage further discussion, as this measure moves through the legislative process, on whether this task force should be administratively attached to the Office of the Governor or Office of the Lieutenant Governor.

Your Committees have amended this measure by:

- (1) Deleting language that would have prohibited a public charter school from discriminating against any student or limit admission based on, among other factors, sex, including gender identity or expression, rather than based on gender;
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 819, H.D. 2, S.D. 1, as amended



herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 819, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Labor and Ways and Means,



JILL N. TOKUDA, Chair



GILBERT S.C. KEITH-AGARAN, Chair



