HOUSE RESOLUTION


WHEREAS, Title IX of the federal Education Amendments of 1972, renamed in 2002 as the Patsy T. Mink Equal Opportunity in Education Act in honor of its principal author, Patsy Takemoto Mink, former Congresswoman from Hawaii, states that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance..."; and

WHEREAS, according to the United States Department of Education Office for Civil Rights, which is responsible for enforcing Title IX, the Hawaii State Department of Education is out of compliance with Title IX; and

WHEREAS, specifically, the United States Office for Civil Rights, in a January 19, 2018, letter to the Hawaii State Department of Education, found that the department was in violation of the following Title IX requirements:

1. Designating a coordinator to carry out Title IX responsibilities and providing notice of the coordinator to students and employees;

2. Developing and disseminating a notice of nondiscrimination; and

3. Providing appropriate grievance procedures to address complaints; and
WHEREAS, participation in after-school sports enhances girls' leadership skills and boosts their success in academic and collegiate achievement, making them more likely to graduate from high school and score higher on standardized tests; and

WHEREAS, eight of the twenty-three high schools on Oahu lack separate athletic locker facilities for girls, even though they have athletic locker facilities for boys, including Campbell High School, the largest public school in the State with 3,200 students; and

WHEREAS, two out of the ten high schools on Hawaii Island, two of the five high schools on Maui, and one of the three high schools on Kauai also do not have separate athletic locker facilities for girls, even though they have athletic locker facilities for boys; and

WHEREAS, many girls throughout the State must participate in public school sports using inferior sports facilities and without adequate drinking water or restrooms nearby; and

WHEREAS, the Hawaii State Department of Education entered into a Resolution Agreement with the United States Department of Education Office for Civil Rights, dated December 20, 2017; and

WHEREAS, in the Resolution Agreement, the Hawaii State Department of Education agreed to take multiple steps and actions to come into compliance with Title IX, including committing to various reporting requirements to the United States Department of Education Office for Civil Rights; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2018, that no later than twenty days prior to the convening of each Regular Session, beginning with the Regular Session of 2019, the Department of Education is requested to provide a report to the Legislature detailing its actions to comply with Title IX; and
BE IT FURTHER RESOLVED that the Department of Education's report to the Legislature include, but not be limited to, documentation of:

(1) All actions taken by the Department of Education to comply with Title IX pursuant to the Resolution Agreement;

(2) All actions taken by the Department of Education to comply with Title IX with regard to all athletic facilities, including but not limited to fields, locker rooms, and transportation; and

(3) All requests for appropriations, positions, and any proposed legislation to comply with the requirements of Title IX; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Governor, the Chairperson of the Board of Education, and the Superintendent of Education.