

STAND. COM. REP. NO. 1460

Honolulu, Hawaii

MAR 30 2021

RE: S.C.R. No. 9  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.C.R. No. 9, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO ADDRESS IMPLEMENTATION OF HAWAII'S STATE LAW COROLLARY TO TITLE IX TO STRENGTHEN HAWAII'S EFFORTS TO END CAMPUS-BASED SEXUAL VIOLENCE AND GENDER DISCRIMINATION,"

begs leave to report as follows:

The purpose and intent of this measure is to convene a task force to address implementation of Hawaii's state law corollary to Title IX to strengthen Hawaii's efforts to end campus-based sexual violence and gender discrimination.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Department of Education, Americans for Democratic Action, Ma'i Movement Hawai'i, Planned Parenthood Votes Northwest and Hawai'i, Hawai'i State Coalition Against Domestic Violence, AAUW of Hawai'i, Hawai'i Women's Coalition, Democratic Party of Hawai'i Education Caucus, Imua Alliance, Every Voice Coalition, and two individuals. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that 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,



former Hawaii Congresswoman Patsy Takemoto Mink, states that "[n]o 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". Your Committee further finds that with the change in federal executive administration in 2016, and again in 2020, interpretation and implementation of Title IX has shifted over time, resulting in a need for action to ensure clarity and consistency at the state level. Your Committee further finds that Act 110, Session Laws of Hawaii 2018, enacted in response to intended policy changes regarding Title IX announced by the United States Department of Education, established a state law corollary to Title IX that prohibits sex-based discrimination in state-administered or state-funded educational programs or activities, including discrimination based on sexual orientation, gender identity, and gender expression. This measure creates a task force to work to ensure that the State remains in compliance with Title IX.

Your Committee has amended this measure by:

- (1) Requesting that the task force submit a report to the Legislature prior to the convening of the Regular Session of 2023, in addition to the Regular Session of 2022;
- (2) Changing the requested submission date for the report from twenty days prior to the convening of the Regular Session to forty days prior to the convening of the Regular Session;
- (3) Clarifying language relating to the composition of the task force; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 9, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 9, S.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

*Karl Rhoads*

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KARL RHOADS, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 9, SD 1	EDU/HRE, JDC	3/29/2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	7	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy				

\*Only one measure per Record of Votes