



Dennis Tynan <dmtynan@gmail.com>

09/30/2018 08:06 PM

To testimony_boe@notes.k12.hi.us

cc

Subject Testimony for Thursday, October 4,
2018. SAC meeting 11:00 a.m. AS
WELL AS Full Board meeting: 1:30
p.m.

Aloha Board of Education:

I am submitting the below testimony in support of the updated Elementary and Secondary Social Studies Standards.

Please consider this supportive testimony in the Student Achievement Committee as well as the Full Board Meeting later that same day.

My name is Dennis Tynan, and I am speaking as an individual in my capacity as a citizen and resident of the island of Oahu.

- My first reason for supporting the new standards is because I see them as an updated and more engaging way for teachers to teach the importance of creating a strong civil society.
- Our society seems to be at a crossroads these days regarding public debate of issues of importance, so the instruction of our youth in the area of relevant citizenship skills seems like a great idea to improve society.
- Social studies lessons are great ways for students to really grapple with the skills of ELA and Math in ways that are meaningful to them because of the issues involved...instead of doing repetitive worksheets.
- The new standards promise to prepare our students better for college and careers of tomorrow.

Thank you for listening to my full-throated support for these new, updated, and more engaging social studies standards for our students.

Dennis Tynan
Makaha, Oahu

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**

September 30, 2018

Suzanne Chun Oakland
603-E Kunawai Lane
Honolulu, Hawaii 96817
(808) 778-9146 (cell)
(808) 847-1322 (work)

Chair and Members of the
Hawaii State Board of Education
1390 Miller Street, Room 404
Honolulu, Hawaii 96813

Dear Chair and Members of the Hawaii State Board of Education:

Thank you for the opportunity to testify in support of integrating Economics as a part of the K-12 Hawaii Core Social Studies Standards.

One of the top issues raised at a number of Annual Hawaii State Legislature's Keiki Caucus' Children and Youth Summits is financial literacy and a better understanding of economics. One of the more frequent comments from graduates of Hawaii's public high schools is that they wished they had learned how to balance a check book, learned how to budget, understand how credit cards work, be familiar with how to make their money work for them to achieve financial stability and wealth, and be familiar with how the world around them affects their daily lives and influences their life decisions. These skills and knowledge should be an integral part of Hawaii's elementary through high school curriculum.

Economics is the study of how people make decisions in every aspect of daily life. By studying markets and how people use them, our children in Hawaii's public schools will have a better comprehension of choices they make in managing their personal resources. As participants in a global economy, young people have many opportunities. We have a responsibility as adults to provide a public education that will help them make intelligent choices that will positively affect their future and that of their families and community.

I served as the Asset Building Task Force co-chair for several years, which was created by the Hawaii State Legislature to look at how we could support Hawaii's young people make good life decisions and financial choices as well as help them understand local, national and international economics to be well educated global citizens.

We implemented all the Task Force's recommendations, except one. Integrating economics and financial literacy into the public school curriculum has still not been

achieved. Your decision to do so will make this last task force recommendation a reality and provide great hope to many future generations of young people to live sustainably and enjoy a more secure financial future.

I also have served on the Board of the Hawaii Council on Economic Education for over 20 years and their mission has been to train teachers in the public and private schools to teach economics in Hawaii. We will support the Board of Education and the Department of Education in whatever way we can. We are committed to this goal.

Please feel free to call me at (808) 778-9146 should you have any questions. Thank you for your time, your kind consideration, and positive action on this proposal.

Me ke aloha pumehana,

Susie Chun Oakland

Retired Hawaii State Senator

Co-Chair of the Hawaii State Legislature's Asset Building Task Force

Board Member of the Hawaii Council on Economic Education

JAMES DIXON (Chair)

The Law Offices of James Shigeo Dixon

JACK WONG (Vice Chair)

Kamehameha Schools

PETER HANASHIRO (Treasurer)

KMH LLP

BILL KAWASHIMA (Secretary)

Servco Pacific, Inc.

JEFF BUCK

E.A. Buck Family of Companies

STANFORD CARR

Stanford Carr Development

ED CHAR

First Hawaiian Bank

PAUL CHATTERGY

SUZANNE CHUN OAKLAND

Hawaii State Legislature/Retired

JOHN FINK

KFVE - The Home Team

SANDRA AU FONG

Market City Limited

SHERYL KOZUMA

Primerica Financial Services

MATTHEW LIAO-TROTH PH.D.

Hawaii Pacific University

ASH MATAR

VIP Transportation Hawaii

DAVID MORIMOTO

Central Pacific Bank

KATHY MORRIS

*Matanuska Valley FCU & Financial
Reality Foundation*

MYRON NAKATA

LeiHut

DARREN OTA

Bank of Hawaii

LANCE SUZUKI

'Iolani School

RJ RODRIGUEZ

Hawaii P-20

ROBERT SARACCO

Merrill Lynch

JEANNE UNEMORI SKOG

Jeanne Unemori Skog LLC

MIKE ZANE

Kalani High School

Executive Director

DENISE ESPOSITO

Program Coordinator

DORI NISHIJO-KIM

October 1, 2018

The Hawaii Council on Economic Education
126 Queen Street #226
Honolulu, HI 96813
808-585-7220 (Office)
www.hceeonline.com

Chair and Members of the
Hawaii State Board of Education
1390 Miller Street, Room 404
Honolulu, Hawaii 96813

Dear Chair and Members of the Hawaii State Board of Education:

The Hawai'i Council on Economics Education supports adoption of the K-12 Hawaii Core Standards in Social Studies in its current form expressly setting forth Economics as part of the Social Studies Standards.

Economics is the study of how people make decisions in every aspect of daily life. By studying markets and how people use them, our K-12 students better comprehend choices made in managing scarce resources, such as time and money. As participants in a global economy, the young people of today and tomorrow will face many possibilities that our generation could only dream about. It is our duty to give them the tools they need to make the best choices among these seemingly infinite possibilities.

The HCEE promotes the teaching of economics in K-12 public through teacher trainings and annual statewide student activities such as the Economics Challenge and the Economics Through the Eyes of Children Calendar Contest.

We look forward to supporting the deployment of interdisciplinary content standards to develop student knowledge of civics, economics, history and geography through professional development offerings for public school teachers.

Denise Esposito

Executive Director

Jim Dixon

Board Chair

*Promoting and improving the teaching of economics in Hawaii's public and private schools and
increasing economic and financial literacy of Hawaii's students and residents*



UNIVERSITY
of HAWAII
MĀNOA

School of Pacific and Asian Studies
Center for Pacific Islands Studies

October 1, 2018

Dear Board of Education:

I am writing to provide testimony for the **Student Achievement Committee** that will take action on the agenda item **"Social Studies Standards for Elementary and Secondary"** on **Thursday October 4, 2018**.

I strongly support the adoption of the K-12 Hawaii Core Standards in Social Studies.

The integrated, interdisciplinary approach to social studies is the most effective way to teach, and reach, contemporary students. Engaging students with relevant materials, community engagement, connecting the present and the past, are the most effective and meaningful teaching strategies for our students, whose ability to ask and locate answers to their questions is radically altered in the digital age.

Teaching standards and outcomes must value a real-world critical engagement with issues, lead students to connect practice and theory, to listen to diverse voices, and to think critically and analytically about information presented. These Hawaii Core Standards do just that – leading students to reflect on the complex intersections of history, economics, geography, and human civic interaction. This is meaningful and relevant learning and teaching! Please support the proposed standards.

Sincerely,

A handwritten signature in cursive script that reads "Julianne M. Walsh".

Julianne Walsh, PhD
Associate Specialist
Center for Pacific Islands Studies



October 1, 2018

Chair and Members of the Hawaii State Board of Education
1390 Miller Street, Room 404
Honolulu, Hawaii 96813

Dear Chair and Members of the Hawaii State Board of Education,

I strongly support the adoption of economics within the K-12 Core Standards in Social Studies by the Board of Education. Economics is a key subject necessary for students to better understand history and human decision-making in managing scarce resources.

As a long-time member of the Hawaii Council on Economic Education (HCEE) here, I am familiar with the incredible value that a solid and basic economic understanding can provide to our students as they venture forth- into college, into the working world, into the often-confusing world of investments, student debt, mortgages, planning, and credit cards. We provide health education and other life lessons during the school years in the hopes of better preparing our students for their futures, and economic basics is yet another "must-have".

Many parents are ill-equipped to instruct their children in economics and personal finance, and teachers, too, are often unprepared to impart this essential knowledge. A recent PwC USA nationwide school survey found that only 31% of teachers feel "completely comfortable" teaching financial education, yet 92% of K-12 educators believe financial education should be taught in schools, and only 12% do so. 67% of K-12 teachers believe financial education should start in elementary school, but only 21% of teachers indicate that their school actual does so. A national poll by RBC Wealth Management Bank found that of 87% of Americans want schools to teach financial literacy. The numbers go on and on pointing to the real need to educate our keiki through some form of valuable financial literacy.

We must give public school students the tools and knowledge necessary to evaluate opportunities as those opportunities arise in the future. Economics is one of the core, necessary tools and must be taught in our local public schools.

Thank you,

John L. Fink
Vice President/General Manager
KFVE- TV

K5TheHomeTeam.com

420 Waiakamilo Road | Suite 205 | Honolulu, HI 96817 | Phone 808 847.9375 | Fax 808 847.9315

From: Naomi Oshiro
Curriculum Coach, Hokulani Elementary School

Submitted on: Oct. 2, 2019

Testimony in support of Committee Action on Social Studies Standards for Elementary and Secondary

Submitted to: The State of Hawaii Board of Education General Business

Aloha Chair Cox and Members of the Committee,

My name is Naomi Oshiro. I have been a classroom teacher for the past 19 years and I currently serve as a curriculum coach for social studies and science at Hokulani Elementary.

I am in support the new Hawaii Core Standards in Social Studies (HCSSS) and request for your support in the adoption of the new standards.

I have been an elementary educator for 19 years and appreciate the language and format that the new standards has to offer. As a member of the Social Studies Work Group (since 2015), I experienced first hand a collective passion for social studies (from teachers to the presenters) as we all worked to develop an effective teaching tool to improve student success.

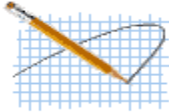
The new standards are written so that students will be exposed to relevant social issues (from civics to humanities) applicable to their grade level. Unlike the current Hawaii Content Performance Standards III (HCPS III), HCSSS is streamlined so that teachers will be better able to provide students with a deeper understanding of the content(s) in conjunction with the C3 Framework (adopted in 2015).

As I look to the future of our children, it is my hope that they will be given the opportunity to receive an education that promotes their civic responsibility and compassion for humankind

Thank you for this opportunity to state my position on the HCSSS,

/s/

Naomi Oshiro



Colin Moore <cdmoore@hawaii.edu>

10/02/2018 01:02 PM

To testimony_boe@notes.k12.hi.us
cc
Subject Testimony for October 4

TESTIMONY BEFORE THE BOARD OF EDUCATION
STUDENT ACHIEVEMENT MEETING

OCTOBER 2, 2018

COLIN D. MOORE, PH.D.
DIRECTOR, PUBLIC POLICY CENTER
UNIVERSITY OF HAWAII AT MANOA

AGENDA ITEM: Social Studies Standards for Elementary and Secondary

Dear Chair Cox and Members of the Board:

I write in support of the adoption of the K-12 Hawai'i Core Standards in Social Studies. As a professor of political science and the director of the Public Policy Center at the University of Hawai'i, I have watched with dismay as the level of civic engagement among our young people continues to decline year after year in this state. As you undoubtedly know, Hawai'i is ranked dead last in voter turnout in the nation. If we cannot reverse this trend, we may reach a point when the very legitimacy of our democratic institutions is threatened.

I strongly believe that the new Core Standards in Social Studies will prepare our young people to engage in the democratic process. The proposed standards are a major improvement over the previous standards because they encourage active engagement and project-based learning. Although students still learn about the Constitution and the purposes of the three branches of government, the new standards challenge them to use this knowledge to become active and engaged citizens.

Years of research in the social sciences shows that civics, when it is taught well, improves students' knowledge of democratic institutions, boosts their interest in politics, and increases the likelihood that they will vote when they turn eighteen. The adoption of the K-12 Hawai'i Core Standards in Social Studies will help to reinvigorate our democracy.

--

Colin D. Moore
Associate Professor
Department of Political Science
Director, Public Policy Center
University of Hawai'i
Honolulu, HI 96822

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Debra Sanbei <dsanbei@viking.k12.hi.us>

10/02/2018 07:12 PM

To testimony_boe@notes.k12.hi.us

cc

Subject Student Achievement Committee for
Social Studies Standards for
Elementary and Secondary

My name is Debra Sanbei. I am a social studies teacher at Hilo High School. I am in support of adoption of the K-12 Hawaii Core Standards in Social Studies. I teach Participation in Democracy to juniors at Hilo HS for several years now which is my focus. Many students at this age are not fully aware of the issues and concerns of our political and judicial system of our American democratic system. The Social Studies C3 Framework support educators in this rigorous and relevant social studies instruction. The standards allow students to gain knowledge of real world settings which are invaluable. For example, current issues on the U.S. Supreme Court nominee, and the process of selection that U.S. Congress will make decisions upon, apply real life connections that students make to real world issues. In discussions, students make choices and judgments of concern for fair procedures. Many topics for discussion inquiry and reflection involve knowledge / skills to tackle these issues. Getting students to think critically about this judicial process and the day-to-day real life situations that are currently playing out, provide students democratic values that students would otherwise not be consciously aware of. It is this kind of awareness that a C3 Framework for Social Studies can prepare students for success in civic, career, and college readiness. This knowledge can greatly influence and impact their lives in the future. Mahalo!

Aloha,

Debra Sanbei

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Lynn Yoshioka/MILMID/HIDOE

10/03/2018 08:55 AM

To testimony_boe@notes.k12.hi.us
cc
Subject Testimony: Adoption of Social Studies
Standards for Elem & Secondary

Honorable Margaret Cox,

My name is Lynn Yoshioka and I am currently the curriculum coordinator at Mililani Middle School, but I have also been a teacher of Social Studies for over 25 years. I am addressing the Student Achievement Committee for the agenda item: "Social Studies Standards for Elementary and Secondary." I am in support of the adoption of the K-12 Hawaii Core Standards in Social Studies. Having served on the Social Studies Work Group for the past year, I have seen how the standards have developed and understand that they are teacher created and allow students to move beyond memorizing dates and facts. These new standards incorporate various Social Studies disciplines like geography, economics, and history, along with promoting civic duties, higher-order thinking, and college/career readiness.

For many years teachers have been following the Hawaii Content and Performance Standards for Social Studies, while other core subjects like ELA and Math have been using the Common Core State Standards. With the new Social Studies standards, teachers will have a venue for designing engaging and rigorous curricula which supports all types of learners. In turn students will benefit by gaining the knowledge and skills to address real-world issues and bring relevance to their learning.

Thank you for your support,
Lynn Yoshioka

*Lynn Yoshioka
Curriculum Coordinator
Mililani Middle School
95-1140 Lehiwa Dr.
Mililani, HI 96789
Phone: (808) 627-9010 ext 71107*



October 2, 2018

State of Hawaii Board of Education
P.O. Box 2360
Honolulu, HI 96813

Agenda Item: Social Studies Standards for Elementary and Secondary

Dear Members of the **General Board Meeting**:

We are writing to express our support of adoption of the Hawaii Core Standards in Social Studies.

National Council for the Social Studies ("NCSS") defines social studies as the integrated study of the social sciences and humanities to promote civic competence. Within the school program, social studies provides coordinated, systematic study drawing upon such disciplines as anthropology, archaeology, economics, geography, history, law, philosophy, political science, psychology, religion, and sociology, as well as appropriate content from the humanities, mathematics, and natural sciences. The primary purpose of social studies is to help young people develop the ability to make informed and reasoned decisions for the public good as citizens of a culturally diverse, democratic society in an interdependent world. In essence, social studies promotes knowledge of and involvement in civic affairs. And because civic issues—such as health care, crime, and foreign policy—are multidisciplinary in nature, understanding these issues and developing resolutions to them require multidisciplinary education. These characteristics are the key defining aspects of social studies.

The Hawaii Core Standards in Social Studies are significantly based upon our *College, Career and Civic Life ("C3") Framework for State and College, Career, and Civic Life (C3) Framework for Social Studies State Standards*. As such, they will ensure that social studies instruction remains a vital part of a well-rounded education in your state.

We look forward to sharing in your next steps upon approval of the Hawaii Core Standards in Social Studies. Thank you.

Sincerely

A handwritten signature in black ink that reads "India Meissel".

India S. Meissel
President

A handwritten signature in black ink that reads "Lawrence M. Paska".

Lawrence M. Paska, Ph.D.
Executive Director



October 2, 2018

TO: Dr. Christina M. Kishimoto, Superintendent, Hawai'i State Department of Education
Catherine Payne, Chairperson, State of Hawai'i, Board of Education

RE: Proposed Hawai'i Administrative Rule Chapter 89 and on Proposed (Revised) Hawai'i Administrative Rule Chapter 19

Dear Superintendent Kishimoto and Chairperson Payne,

On behalf of the Hawai'i Queer/Transgender Community Alliance, an alliance of local organizations advocating for the health and well-being of Hawaii's Queer/Trans communities, we are writing to express our serious concerns with the Department of Education's proposed Administrative Rule Chapter 89 and revised Hawai'i Administrative Rule Chapter 19. We believe these proposed changes would, in their current form, negatively impact the queer and transgender students in the public school system by not adequately protecting them from bullying and harassment.

We the undersigned were not consulted by the Department of Education in developing these proposed changes. We believe these proposed rule changes could be to the **detriment of all students, including those who identify as sexual and/or gender minorities** (e.g. lesbian, gay, bisexual, transgender, gender non-conforming, queer, among others). The consultation process was faulty and the opportunity for professional community input has been lacking.

To provide context on sexual and gender minority students in local schools, we want to share findings from the *Hawai'i Sexual and Gender Minority Health Report 2018*, from the Hawai'i Department of Health:

- **1 out of 10** public high school students (4700 youth) identify as lesbian, gay, bisexual, or questioning (LGBQ); **3%** of public high school students (1260 youth) identify as transgender;

- **More than 1 out of 3** of LGBTQ students and **1 out of 4** transgender students skipped school because they felt unsafe;
- **43% of LGBTQ students** and **40% of transgender students** said they have been bullied on school property or online in the last year

Given these statistics, we, the undersigned, respectfully request that the Hawai'i State Board of Education immediately acts to:

1. schedule a presentation by the Department of Health to present data from the aforementioned report;
2. schedule a meeting with community stakeholders to review and support comprehensive draft language against bullying and harassment that protects all students, including sexual and gender minority youth, before advancing the proposed changes to Hawaii Administrative Rules, Chapter 19 and 89.

Thank you for your consideration of our concerns. We look forward to working with the Department and the Board of Education to address and improve the proposed rules to protect the most vulnerable children in our public schools.

With aloha and gratitude,

Hawai'i Queer/Transgender Community Alliance

Domestic Violence Action Center
 GLSEN Hawai'i Chapter
 Hawai'i Health & Harm Reduction Center
 Hawai'i LGBT Legacy Foundation
 HepFree Hawai'i
 Japanese American Citizens League - Honolulu
 LGBT Caucus, Democratic Party of Hawai'i
 Maui AIDS Foundation
 Mental Health America Hawai'i
 Planned Parenthood Votes Northwest and Hawaii
 Residential Youth Services & Empowerment
 University of Hawai'i Commission on LGBTQ+ Equality
 University of Hawai'i at Mānoa, LGBTQ+ Center
 Windward Community College LGBTQ+ Commission

The Hawai'i Queer/Transgender Community Alliance is a coalition of stakeholders across Hawai'i dedicated to increasing the health and well-being of sexual and gender minority people (e.g. lesbian, gay, bisexual, transgender, mahu, gender nonconforming, queer, and other persons) in our islands. We strive for the betterment of our communities through collective action including policy change, research, data collection, and capacity building. In our efforts, we humbly and intentionally acknowledge that sexual and gender identities intersect with many other identities including age, race, socioeconomic status, disability, country of origin, citizenship status, and more.



Sharyl Lynn Fujii/LEEDO/HIDOE
10/03/2018 07:59 AM

To Testimony BOE/HIDOE@HIDOE
cc
Subject Fw: Testimony

Name: Sharyl Lynn Fujii

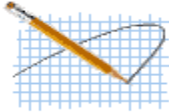
Position: Department of Education Hawaii, Leeward District, Pearl City-Waipahu Complex, Resource Teacher for Project Based Learning, Next Generation Science Standards, & C3 Framework

Meeting: Student Achievement and General Business Meeting

Agenda Item: Committee Action on Social Studies Standards for elementary and secondary

Position: I support the Hawaii Core Standards in Social Studies (HCSSS). The standards have built in supports like sample Compelling Questions and sample content/concepts that will allow for flexibility for teachers and students. These standards connect learning with Taking Informed Action so students will understand that it's not enough to just learn about issues, they will be expected to apply their learning in some way outside of their classroom to solve these problems.

Sharyl Lynn Fujii
Pearl City / Waipahu Complex Area
PBL ~ NGSS ~ C3 Framework
94-521 Farrington Highway
Phone (808) 675-0443
Fax (808) 675-0439



Robert Perkinson <perk@hawaii.edu>

10/03/2018 11:04 AM

To testimony_boe@notes.k12.hi.us

cc

Subject Fwd: Social Studies Standards

ATTN: Student Achievement Committee

Dear Chairperson Cox,

I'm writing to ask if I could submit verbal testimony on Thursday about the proposal for revised social studies standards. As a historian at UH Manoa, I have been involved in revising the standards, specifically focusing on the U.S. history classes, and I would like to share my experience and assessment if I could.

I understand that there is a deadline today for written testimony, so I will also share some of my thoughts here.

The teams of university scholars and K-12 teachers I worked with followed a rigorous process in developing these proposed standards. We reviewed standards in scores of other states, consulted with prominent professors at other universities, gathered new scholarship on a range of vital topics, met with C-3 and other curriculum experts, and also spoke extensively with experienced K-12 social studies teachers. The result isn't perfect, but I believe we will implement here among the best social studies standards in the United States.

The proposed standards are improved in three fundamental ways: First, they take advantage of a new generation of scholarship that has used new methods and new sources to provide a fresh interpretation of US history, world history, Hawai'i history, economics, geography, and civics education. These standards are closely aligned now with established scholarship in these fields.

Second, they better reflect Hawai'i's diverse student population, providing richer engagement with subjects that reflect our students' backgrounds. This will allow students and teachers to see their own stories contextualized historically. The new standards will also more accurately represent the way history truly unfolded and explain how our modern society came into being.

Finally, these standards encourage more critical engagement with the present. They aim to show students how history has shaped the world they know, how history has shaped the present and will necessarily shape our future. They aim to illuminate the roots of present-day challenges and debates. They aim to bring history and civics to life in the minds of our students,

and to encourage them to think critically about how they should act as citizens in the future.

Writing new standards is a complex and contested process. They can never be complete because we are encouraging students to think hard about eternal questions; there are no easy answers. But this set of standards does represent a significant improvement over the existing standards, although those too had much to recommend them. With the adoption of these standards—and based on my assessment of standards in others states—I believe Hawai'i will become a national leader in accuracy, sophistication, and engagement. I believe other states will look to us as they revise their standards. More importantly, I think these standards will well serve our students and teachers in the coming years. They will help DOE graduate students with a better sense of where they came from and where they can go.

--Robert Perkinson, Associate Professor, UH Manoa

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Robert Perkinson
Department of American Studies
University of Hawai'i at Manoa
1890 East-West Road
Moore Hall 324
Honolulu, Hawai'i 96822
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Rudy Domingo/LEILEHUA/HIDOE

10/03/2018 11:56 AM

To testimony_boe@notes.k12.hi.us
cc
Subject Student Achievement Committee:
"Social Studies Standards Elementary
and Secondary"

To whom it may concern,

My name is Rudy Domingo Jr. from Leilehua High School. I am currently a curriculum coach.

I am in favor of supporting the Social Studies Standards for a variety of reasons. When reading the C3 Framework and how there are deficiencies in our classrooms, it only fits well that the new Social Studies standards help assist students with the inquiry approach. As a former Social Studies teacher, I saw a need for space in my classroom to ask students questions about society, citizenship, and power and authority. The new Social Studies standards requires students to do inquiry. For inquiry to work, there needs to be a foundation to be set and that is the standards. These standards can help teachers spark the inquiry process in their classroom.

From inquiry, we can teach these students that it's okay to disagree and agree on things in society. It teaches students how important dialogue is for a civil society. It's not only the content that is important but the process. The process will teach students to be ready for rich dialogues in college and in their adult lives.

By approving these standards you are taking a big step in helping Social Studies teachers have the space for inquiry and rich dialogue with their content.

"Ichigo Ichie" Translation- Treasure every encounter, for it will never recur.

*Rudy Domingo Jr.
Curriculum Coach
Leilehua High School*



Agency: Board of Education
Date/Time: Thursday, October 4, 2018, 1:30 p.m.
Place: 1390 Miller Street, Honolulu, HI, Room 404
Re: Testimony of the ACLU of Hawai'i Discussing Student Disciplinary Concerns Relating to Ch. 19 and Ch. 41/89 Amendments

Dear Board of Education Members:

The ACLU of Hawai'i ("ACLU") writes to testify with comments on the Board of Education's revisions of Chapter 19 and replacement of Chapter 89 with Chapter 41 to update the definitions of bullying and harassment on the basis of protected class within the school disciplinary code. The ACLU of Hawai'i wishes to highlight the severity of moving such offenses from Class B to Class A for high school students due to variations in the severity of penalties that may be assigned, and reports of disparate disciplinary sanctions for similar offenses among students in protected classes.

A school's primary response to misconduct requires a broader conversation about options and alternatives to punitive measures, particularly in the bullying and harassment context where school climate is at issue and the problems are not necessarily student-driven. Reliance on discipline of an individual student does not remedy a hostile environment. It is the responsibility of the school to prevent bullying and harassment by providing positive values, education on why certain actions and words are harmful, and interventions that address some of the root causes of this behavior. Counseling and providing anti-harassment and anti-bias training for whole classrooms or grades may be more appropriate.

We cannot punish away bullying.

Our comments are focused on the potential for overly punitive responses to misconduct that can be addressed through alternative measures. Beyond addressing incidents of bullying and harassment, we urge HIDOE to revise its discipline policies and practices to adopt a graduated discipline model incorporating positive behavioral supports and interventions (PBIS). The process will require many things, including proper data to see which schools are overly suspending and expelling students, as well as working with the Board to amend these chapters.

We want to caution HIDOE to remind schools in the event a complaint is substantiated, the district will take appropriate and effective action depending on the circumstances. Such action may include, but is not limited to, training, counseling, warning, transfer, or remediation. We have heard reports of various school administrators enacting automatic penalties resulting in suspension (including greater than ten days) without using their discretion to educate students on unwanted behaviors. There is little evidence that suspension or expulsion improves or deters misbehavior. There is much evidence for such

exclusionary discipline to result in negative outcomes including poor grades, increased dropout rates, and greater risk of being referred to the juvenile justice system.¹

We recommend moving away from suspension as a penalty in as many cases as possible. Moving cyberbullying, bullying, and sexual harassment to Class A violations for older students, while a graduated system, leans toward over-penalizing actions student behavior than can be corrected in less punitive ways. Many school districts have eliminated suspensions altogether from lower grades. Other jurisdictions have set limits on how long suspensions can be, setting maxes at seven days for older children, and five for younger children in the same class of violations. This is much, much shorter and more reasonable than the ninety-two days currently allowed in Ch. 19.

We urge schools to conduct mandatory annual or biannual trainings for staff that instruct them how to identify and address possible or actual incidents of harassment, discrimination, and intimidation. As school staff themselves have been perpetrators of such harassment, these trainings should thoroughly cover the legal and professional limitations placed on staff by federal and state laws, as well as instruction regarding the destructive and lasting effect that harassment by trusted school officials can have on children.

We recommend that the Board reconsider student discipline in a holistic way beyond sanctions for unwanted behavior, highlighting non-punitive remedies and alternative discipline among a continuum of responses.

Thank you in advance for your time and attention to this matter. If you have any questions or comments, please feel free to contact me at 380-5422 or rshih@acluhawaii.org.

Sincerely,

Rae Shih
Legal Fellow
ACLU of Hawai‘i

¹ Report from a National Conference on Civil Tolerance, Washington, DC, June 2000.

To: Hawaii Board of Education, Chairperson Catherine Payne, Vice-Chairperson Brian De Lima, and Members of the Board of Education

From: Josephine (Jo) Chang, Consultant, Trainer, and Community Support

Date: Submitted on October 3, 2018 for the General Business Meeting of the Board of Education on October 4, 2018

Subject: Testimony on Board Action to Approve HAR Ch. 19 as revised, and proposed HAR Ch. 89

Position: Opposed as currently written

I will first present my testimony regarding HAR Ch. 19 with proposed revisions, and then present my testimony regarding proposed HAR Ch. 89. I am opposed to both because there are still very important problems in both that should be addressed by BOE and DOE before these rules are put to public hearings.

The changes that were made to these rules following testimony on September 6, 2018 were changes to correct rules that were clearly wrong and should not have been included in the first place. But it is also important that HIDOE and BOE consider the larger problems and provide the framework for action on bullying to take place consistently and systemwide, for the sake of the students. Simply changing the definition to include all of the definition for harassment under bullying does not show that HIDOE recognizes the need to do more than do drafting and word changes.

The proposed rules do not indicate that HIDOE is committed to adopting a systemwide anti-bullying initiative that is sorely needed, as it does not set forth a framework for action other than by Civil Rights Compliance Branch on notifying the schools about its nondiscrimination rules, policies, and applicable law. It seems to regard these rules as only for the purpose of creating complaints procedures, regardless of its words of aspiration. In other words, HIDOE proposes to address bullying only after the fact and shows no indication that HIDOE sees the need to stop bullying that is ongoing now in the schools or to take steps to prevent further bullying in each and every school.

Josephine Chang

Testimony to the Hawaii Board of Education, Chairperson Catherine Payne, Vice-Chair Brian De Lima, and Members of the Hawaii Board of Education on the Hawaii Department of Education's on HAR Ch. 19 and proposed revisions from Josephine Chang.

Aloha Chairperson Payne, Vice-Chair DeLima, and members of the Board. I oppose HAR Ch. 19 as revised for the following reasons:

1. Need to entirely delete the "informal resolution process" that is still included as part of the Complaints Procedure in Subchapter 8, section 8-19-30 (f)(2). As I testified before, this process poses further harm to students who have been subjected to bullying because there is always a situation of power differential as perceived by the bullied student, and fear, that puts the bullied student in a disadvantageous situation, emotionally and physically, and also risks further trauma from being put in a situation of having the suggestion of informal resolution put to them, intimidation by the fact that a person in authority is suggesting this, that make it difficult for the student to turn this down. Bullying is akin to abuse and even suggesting that a bullied student face the accused, and to face the accused alone and try to negotiate a resolution makes no sense. It is never recommended in such situations because of the "fear" aspect involved. The bullied student would not have complained if the situation could have been resolved without school involvement. This process does not protect the welfare of bullied students and does not show understanding of the situation of a bullied student.

2. "Remedies" as defined in section 8-19-2: The definition of remedies is similar to the definition of immediate interventions in its focus on support services for students involved, but is lacking the key aspect of also including how DOE would address any deficiencies that may become apparent in an investigation with regard to the role of the DOE or school that allowed bullying to occur, such as a lack of teacher or other employee intervention, or lack of recognition by others surrounding the situation of how to intervene or that this was a situation of bullying that should be stopped and corrected. Remedies in civil rights cases include the broader framework of the organization that is deficient in preventing or stopping discrimination (including bullying and harassment) from occurring. Although this definition here alludes to the "safety of all students and the broader community" it does not specifically state that remedies by the school or the DOE may also be needed when bullying occurs. It is important that this definition state that DOE or a school's deficiencies could also be included because this definition gives guidance to the DOE enforcement staff as to the scope of remedies that should be considered and included. Remedies should also include remedial requirements for the bully, such as remedial counseling, and not just support counseling for the bullied. As presently defined, "remedies" would not address the roots of the problem with regard to the persons involved and the school itself.

3. Need for anonymous or totally confidential complaints process for students, LGBTQ+ and others, who may not have parent support for a complaint or for the basis for which the student is being bullied or discriminated against. See mandatory notification of parents in section 8-19-4.1 and section 8-19-31. The complaints process assumes that all parents support their student for the reasons that they might be bullied but because discrimination is so pervasive, it is not uncommon for parents or guardians to be

unsupportive of students who are LGBTQ+. If DOE is committed to also helping these students, they must have a process that thoroughly protects the student from further abuse not only in the school community but also at home. An anonymous process may limit DOE's ability to address the particular bully, but is considered a valid way to address the underlying problems of bystander (student and adults) inaction and failure of adults in the schools to take steps to affirmatively and proactively protect LGBTQ+ students in their schools.

4. Other problems with Ch. 19:

- a. Section 8-18-1 (c)(4.1): why does this apply only to protected class students?
- b. Section 8-19-2, definitions of "bullying" and "cyberbullying": Why does cyberbullying address employees but bullying does not.
- c. Section 8-19-2, definition of "immediate interventions": Why are only 3 protected classes addressed and not the other protected classes?
- d. Section 8-19-2, definition of "sexual harassment": Why does this definition include acts that do not seem applicable to students, including "when submission to or rejection of the conduct is either and explicit or implicit term or condition of a student's education or participation in a department program ... service."

Testimony to the Hawaii Board of Education, Chairperson Catherine Payne, Vice-Chair Brian DeLima, and Members of the Hawaii Board of Education on proposed HAR Ch. 89 from Josephine Chang

I. Overview: Most of the larger problems cited in my testimony on September 6, 2018, have not been addressed and are reiterated here. Proposed HAR Ch. 89 must be amended to:

1) state that HIDOE is committed to stopping widespread and ongoing discrimination, bullying and harassment in the schools against students, particularly on the basis of gender identity, gender expression, sexual orientation, and disabilities, and taking the steps necessary to make all schools safe, inclusive, respectful and supportive of all students;

2) restate the definition of “systemic discrimination” so that HIDOE can be held accountable for the full extent of HIDOE’s responsibilities to address systemic discrimination, bullying and harassment at every level and in every program and service in every school, instead of only the minimal task now included in this definition that HIDOE adopt policies, rules, regulations or procedures that do not discriminate. HIDOE’s failure to recognize the problems students face because of discrimination, bullying and harassment in the schools systemwide, failure to act to assure that the needed direction and training, and program changes are made throughout the school system, and the failure of employees systemwide to stop bullying and harassment in their schools is systemic discrimination. HIDOE cannot continue to keep its head in the sand forsaking the wellbeing of the students in its care. The limited definition of “remedies” also indicates that HIDOE does not see the whole picture, and is not seeking to address the most important aspect of the system-wide framework, or to doing all that only HIDOE has the power and authority to do.

3) make clear and acknowledge that HIDOE is primarily guided in its approach to civil rights enforcement by the broader and more inclusive HIBOE/HIDOE policies and directives that require HIDOE to strictly prohibit discrimination, bullying and harassment by employees, volunteers, and contractors; and that HIDOE is not limited by the narrower and lesser U.S. DOE approach in the rules that should be applied as only a minimum compliance level. This is particularly important because there is no state law yet in effect that requires protections for sexual orientation, gender identity, and gender expression in the schools, and no federal law provides any explicit protections for these bases. Also, only BOE policy provides the basis for protections of “physical appearance and characteristic”, and “socio-economic status”.

4) delete the provisions now included that are not appropriate for K-12 students who allege discrimination, bullying and harassment by adults, such as requiring HIDOE to offer supportive services equally to both the student and adult perpetrator; and instead include provisions to allow HIDOE to take necessary actions against alleged perpetrators for the safety of the students, and impose strict sanctions on perpetrators when wrongdoing is found. See sections on “immediate interventions”.

II. SPECIFIC AMENDMENTS NEEDED BY SECTION

Section 8-89-1(e) (list of applicable laws and regulations): This section should be amended 1) to state that HIDOE shall also comply with “board of education rules, policies, and directives” as stated in Section

8-89-2 Definitions, under the definition of “Complaint”, and 2) to also list: **HIBOE/HIDOE Policy 305.10**, **HIBOE/HIDOE Guidance on Supports for Transgender Students**, and **HIBOE/HIDOE Code of Conduct**, as these are primary and guiding policies and directives that strictly prohibit discrimination, bullying, and harassment by HIDOE employees, volunteers, and contractors that HIDOE must enforce, and that guide the broad and inclusive scope and strict enforcement that HIDOE must provide to comply with these policies, directives, and Hawaii law.

These HIBOE policies and directives, and Hawaii law provide: 1) for explicit and strict compliance with nondiscrimination policy by employees, volunteers, and contractors, 2) explicit direction to HIDOE to also protect students on the bases of gender identity, gender expression, and sexual orientation, and 3) requires explicit inclusion and specific support for transgender students in HIDOE schools, that the listed federal laws do not include.

Section 8-89-2 Definitions.

“Complaint”: The definition of “complaint” should be amended as with Section 8-89-1(e) to also list **HIBOE/HIDOE Policy 305.10**, **HIBOE/HIDOE Guidance on Supports for Transgender Students**, and **HIBOE/HIDOE Code of Conduct**. These policies and directives provide: 1) for explicit and strict compliance with nondiscrimination policy by employees, volunteers, and contractors, 2) explicit direction to HIDOE to also protect students on the bases of gender identity, gender expression, and sexual orientation, and 3) requires explicit inclusion and specific support for transgender students in HIDOE schools, that the listed federal laws do not include. See comments on Section 8-89-1(e) above.

“Immediate interventions”: The definition for “immediate interventions” should be amended to clarify that support and safety services would be offered to complainants (students) but **not** equally to the alleged adult perpetrator as currently stated, and that actions would be taken immediately to assure that the alleged adult perpetrator would not be in a position to threaten or harm the complainant or harm other students during the investigation or thereafter. The definition should make clear that HIDOE would take immediate steps to assure the wellbeing, safety, and protection of the student(s), and would monitor the student(s) for well-being, safety, and protection over the long term. This definition wrongly follows USDOE guidelines for student-on-student complaints in post-secondary schools, that are not appropriate for K-12 student complaints against adults. In amending this section, the suggestion that “individualized services” should be offered to the alleged adult perpetrator should be deleted.

“Remedies”: This definition is insufficient to address all of the problems that may be apparent in an investigation. The definition of remedies currently is similar to the definition of “immediate interventions” in its focus on support services for students involved, but is lacking the key aspect of also including how DOE would address any deficiencies by the DOE that allowed bullying to occur, such as an adult not knowing or understanding what constitutes bullying or abuse of power, particularly for widely bullied students such as LGBTQ+ students or students with disabilities, that there is insufficient bystander education and training, or when bullying is accepted as “just teasing”. Remedies in civil rights cases include the broader framework of the organization that is deficient in preventing or stopping

discrimination (including bullying and harassment) from occurring. Although this definition here alludes to the “safety of all students and the broader community” it does not specifically state that remedies by the school or the DOE may also be needed when bullying occurs. It is important that this definition state that DOE or a school’s deficiencies could also be included because this definition gives guidance to the DOE enforcement staff as to the scope of remedies that should be considered and included. Remedies should also address discipline or remedial counseling (not just supportive counseling for the bullied) for the bully. As presently defined, “remedies” is insufficient and would not get to the roots of the problem with regard to the persons involved and the school itself.

“Systemic discrimination.” This definition wrongly defines “systemic discrimination” as: “when an established policy, rule, regulation or procedure of the DOE has the continuing effect of not violating non-discrimination rights” because it does not address a “system” or the “whole system” but only one small task that HIDOE is responsible for regarding nondiscrimination in the schools. This narrow and limited definition would allow complainants to only bring to HIDOE complaints about policies, rules, regulations and procedures that are in themselves, discriminatory in effect, and not allow complaints about any other DOE deficiencies regarding assuring nondiscrimination in the schools.

This definition should be amended to include the whole HIDOE system responsibilities to assure that its entire system of public schools and all schools are nondiscriminatory, such as directing and assuring that all employees and students are adequately directed, trained, informed, educated, and supported to act appropriately to stop ongoing discrimination, bullying and harassment, and to build inclusive, respectful, safe, and supportive programs, activities, and services for all students, not simply to inform them of policies, rules, procedures and law, and that failure to fulfill these responsibilities and failure of staff to act to stop this prohibited activity would be systemic discrimination. System-wide or “systemic discrimination” must clearly mean the “whole system”.

This is the only opportunity provided in the rules for those who have been discriminated against, bullied or harassed to bring department or school problems to the attention of HIDOE to be addressed and corrected early on and as they occur. It makes no sense for HIDOE to try to allow only a narrow opportunity for these complaints about the “system” and for it to intentionally limit such complaints on systemic deficiencies if it is truly committed to being fully informed, facing bullying head-on, and doing the work needed to create safe schools for all students.

It is widely acknowledged that discrimination, bullying and harassment is found throughout HIDOE schools targeting LGBTQ and GNC students on the bases of gender identity, gender expression, and sexual orientation due to widespread failure of schools, administrators, faculty and other adults to stop such ongoing discrimination, bullying, and harassment by students, and also by teachers and other adults who participate in criticism of LGBTQ and GNC students for being LGBTQ and GNC, faulting them for being bullied and harassed, ridiculing LGBTQ and GNC students, and other discriminatory acts showing their nonacceptance of the gender identity, gender expression, or sexual orientation of LGBTQ and GNC students. This lack of support from faculty and administrators in HIDOE schools is due to a lack of clear direction, training and education, and enforcement from the top down to the schools, a

systemic failure of large proportion, that HIDOE must address and be held accountable for as “systemic discrimination” for the sake of the students.

The definition of “systemic discrimination” should be amended to include all of the HIDOE system and not just a narrow part of its responsibilities for ending discrimination, bullying and harassment in Hawaii’s public schools.

Section 8-89-6(e) (on “immediate interventions”) This section on immediate interventions would wrongly treat both parties as equally eligible to request “immediate interventions” (defined as services).

This section should be amended to differentiate between the support services that all student complainants would be eligible for and the protective actions HIDOE would be responsible to take regarding the alleged adult perpetrator to assure that the alleged adult perpetrator does not harm the student complainant or other students. This section presents the same problems in the definition of “immediate interventions.” See comments on Section 8-89-2 Definitions. “Immediate interventions” above.

Section 8-89-11 Student’s Right to Privacy – There is a need for an **anonymous complaint process** to encourage more students to provide HIDOE information on prohibited discrimination, bullying and harassment in HIDOE schools.

An **anonymous and confidential complaint process** (not the same as keeping confidential the records of complaints, investigations, and reports under Section 8-89-11), whereby HIDOE would accept anonymous complaints or would keep a complainant’s identity fully confidential should be included in this section or in the complaint process Section 8-89-6. It is not uncommon for students to be afraid to file a complaint, not trusting HIDOE authorities, and/or afraid of retaliation by perpetrators should they file a complaint, and to fear negative reactions from other adults and students in the school should others learn of their complaint. Additionally, LGBTQ students often fear being “outed” in school, fearing harm from other students and also harm from parents who do not accept LGBTQ persons.

The acceptance of anonymous complaints and provision of complete confidentiality are allowed under federal guidelines despite the limits it would put on investigating an alleged adult perpetrator, because it would still allow reluctant students to seek help, and is considered to be beneficial in uncovering underlying systemic problems in a school or in the overall system and possibly other violations or patterns of violations by an individual, thereby allowing these problems to be addressed by the school district. An anonymous complaint process could encourage students to submit complaints and provide HIDOE with greater opportunities to stop discriminatory practices within HIDOE’s schools.



Dean Hamer <deanhamer@aol.com>

10/03/2018 02:11 PM

To: Testimony BOE/HIDOE@HIDOE
cc
Subject: Fw: Object to inadequate Ch89
revisions

To: Hawaii Board of Education and the Hawaii Department of Education (HIDOE)

From: Dean Hamer, Qwaves Media

Date: October 3, 2018

Subject: Hawaii Board of Education/Department of Education's (HIDOE/HIDOE) Proposed Hawaii Administrative Rules Chapter 89 (HAR CH. 89) CIVIL RIGHTS POLICY AND COMPLAINT PROCEDURE FOR STUDENTS(S) COMPLAINTS AGAINST ADULT(S)

The new rules have fixed the most obvious errors that never should have been included in the first place, but overall this document fails to address any of the FUNDAMENTAL issues of bullying in Hawaii schools.

As an investigative journalist and documentary film producer, I have witnessed first hand the harm and pain that prejudiced school employees can inflict on students. I have also documented how incredibly difficult it is for students to even report much less obtain redress for violations of their civil rights.

This is especially true for issues around gender identity and expression and sexual orientation – civil rights which are NOT federally protected, but depend on Hawaii state law for protection.

Therefore, while I support having the strongest possible civil rights for our students, I continue to believe the proposed revision of HAR CH.89 needs additional work.

To wit, the chapter should clarify that HIDOE is **primarily** guided in its approach to civil rights enforcement by the broader and more inclusive HIDOE/HIDOE policies and directives that require HIDOE to strictly prohibit discrimination, bullying and harassment by employees, volunteers, and contractors; and that HIDOE is not limited by the narrower and lesser U.S. DOE approach in the rules that should be applied as only a minimum compliance level.

The chapter should also provide full per se protections for gender identity, gender expression, and sexual orientation from prohibited discrimination, bullying and harassment required by the express enumeration of these bases in HIDOE/HIDOE antidiscrimination, antibullying, and antiharassment policies and directives to employees, volunteers, and contractors and Hawaii law, instead of only the minimal "gender-based" harassment protections now in the rules that follow the narrow approach of U.S. DOE.

It appears that DOE is only interested in “protecting its own ass” - not students. The minor revisions made in response to the last round of comments do NOT show that HIDOE is committed to stopping widespread and ongoing discrimination, bullying and harassment in the schools against students, particularly on the basis of gender identity, gender expression, sexual orientation, and disabilities, and taking the steps necessary to make all schools safe, inclusive, respectful and supportive of all students.

Is it really so difficult for HIDOE to ask people in the community (like Jo Chang, the LGBT Alliance, etc etc etc) for their input BEFORE they submit yet another inadequate document?

Thank you for your consideration,.

Dean Hamer, PhD

Qwaves Media

Haleiwa, Hawaii

**

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TESTIMONY FOR AGENDA ITEM:
Social Studies Standards for Elementary and Secondary

STUDENT ACHIEVEMENT COMMITTEE
Board of Education

Thursday, October 3, 2018, 11:00 a.m.
Queen Liliuokalani Building, Room 404

POSITION: In Support

Aloha Chair Cox and Committee members,

My name is Amy Perruso. I am a veteran social studies teacher at Mililani High School, and I am very pleased and excited to testify in support of the new social studies standards. Many of you know that I have been very concerned about the effect that ‘No Child Left Behind’ policy approaches continue to have on civic education, as we (broadly speaking) continue to overemphasize test scores and rote learning at the expense of creativity, critical thinking, and civic engagement.

Social studies educators and university faculty all across the country have shared the same concern for almost two decades, and have come together to develop a framework for social studies education that captures and reflects the values, skills, and dispositions necessary in solid social studies education. That framework is the C3 (College, Career and Citizenship) Framework, which the Board adopted in 2016 so that we could revisit our state social studies standards and align them with national and international best practices. The basic structure of the Framework, as you know, follows an inquiry-to-civic action arc, and really focuses on the multidisciplinary skills and knowledge, from history and the social sciences, that students will need to be successful in the 21st century.

While no set of standards will provide a silver bullet for the challenges we currently face in civic education, the new Hawaii State Social Studies standards move us in the right direction, aligned as they are with the C3 Framework and current scholarship in history and the social sciences. Most importantly, these standards, taken together with the constructivist approach of the C3 Framework, support the development of a knowledgeable, informed and engaged citizenry.

As one of the many teacher participants in the standards writing work, I was impressed by the thoughtfulness and thoroughness of the design process. Mrs. Rosanna Fukuda is to be commended for her ability to work collaboratively with others to support this work without micromanaging it. While the structure the DOE leadership provided was clear and useful, the standards themselves are the work of classroom educators working with university scholars in each of these content areas. And we are proud of them!

Although these standards provide a great template and direction for helping educators show students how geography, history, economics, culture, and civic knowledge shape our lives, implementation, after decades of marginalizing social studies education, will be a challenge. Successful implementation will require not only training and support, but also clear messaging from this Board that you prioritize civic education. Thank you for your support for our students.

Mahalo,

Amy Perruso

amyperruso@gmail.com

Ted Jaderstrom

Teacher/Kamiloiki Elementary School

Testimony to: Student Achievement Committee

Agenda item: Social Studies Standards for Elementary and Secondary

I am in support of adoption of the K-12 Hawaii Core Standards In Social Studies.

I have been a public school teacher in Hawaii since September, 1974. Throughout this time, many changes, both negative and positive, have taken place. One change that sticks out is the students' lack of knowledge and practicum in the various facets of the Social Studies curriculum. I feel that this is largely in part to the lack of priority of the Social Studies as a valuable part of the school curriculum, thereby affording less availability of the necessary Social Studies concepts and skills to the public school students. These are Social Studies concepts and skills that are needed for students to become effective thinkers and problem-solvers, both today and in the future. This is a cumulative process that needs to be nurtured throughout a student's educational career.

As educators, it is our responsibility to provide these students with access to these concepts and skills and give them the opportunity to apply these concepts and skills into meaning and practical experiences. For anything to make sense, there needs to be understanding and relevancy, not just memorization.

One of the most distressing changes that I have seen, through my journey as a teacher, is the increasing lack of ability in students as effective thinkers and problem-solvers. Without the first, the second will most likely not follow. When effectively presented, the Social Studies provide meaningful educational experiences in History, Geography, Anthropology, and Economics, to name a few, all of which help students to understand the world around them, from their own home to a global perspective. This understanding helps students to make connections to their present day life and thereby providing them with an opportunity to become effective thinkers and problem-solvers.

With proper insight, the Social Studies Curriculum can incorporate into it all of the subject areas, such as Literature, Math, Science, Music, and Art, to name a few. This incorporation will enhance the understanding of the concepts and skills of these subject areas as well. The incorporation of the Hawaii Core Standards will also give the students an opportunity to create, plan and carry out projects that will benefit themselves, the school, and the community.

The proposed K-12 Hawaii Core Standards in Social Studies will help to provide teachers with guidance in finding the necessary resources and with a plan to help our students to learn, retain and apply the many concepts and skills that are a part of an effective Social Studies curriculum. Much time, thought, and energy has been put into the process of developing these standards. Please help this to become a reality in Hawaii's schools.

Thank you.



S E A C
Special Education Advisory Council

919 Ala Moana Blvd., Room 101

Honolulu, HI 96814

Phone: 586-8126 Fax: 586-8129

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October 4, 2018

**Special Education
Advisory Council**

Ms. Martha Guinan, *Chair*
Ms. Dale Matsuura, *Vice Chair*
Dr. Patricia Sheehey, *Vice
Chair*
Ms. Ivalee Sinclair, *Vice Chair*

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Ms. Carrie Pisciotto
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Dr. Amy Wiech
Ms. Jasmine Williams
Ms. Susan Wood

Dr. Christina Tydeman, *liaison
to the Superintendent*
Dr. Bob Campbell, *liaison to
the military community*

Amanda Kaahanui, Staff
Susan Rocco, Staff

Catherine Payne, Chair
Hawaii State Board of Education
P. O. Box 2360
Honolulu, HI 96804

RE: VII. D. Board Action on Finance and Infrastructure and Student Achievement Joint Committee recommendations concerning the adoption of draft of new Chapter 89, Civil Rights Policy and Complaint Procedures for Student(s) Complaints against Adult(s)

Dear Chair Payne and Members of the Committee,

The Special Education Advisory Council (SEAC) welcomes this opportunity to provide further testimony on the proposed rules for Chapter 89. We are appreciative that the latest draft of Chapter 89 incorporates a number of recommendations from our September 6th testimony including:

- revising the parent definition to acknowledge parents of adult children with disabilities who are acting as their child's educational representative or agent under a Power of Attorney and therefore retain their legal right to make educational decisions for their child;
- adding the above-mentioned parents as parties authorized to file complaints; and
- requiring that the principal or their designee ensure that a student's free and appropriate public education (FAPE) is not affected in complaints involving students with disabilities.

SEAC continues to have concerns about two recommendations that we believe are not adequately addressed in this second draft, and we would therefore like to restate them:

RECOMMENDATION 1

Under §8-19-2 Definitions. "Immediate interventions"

State a specific timeline for "immediate" interventions (for example, within 24-48 hours).

SEAC's rationale:

The Department revised its original definition of immediate intervention to state that it should be implemented "as soon as possible." This phrase is much too subjective. Specifying a concrete timeline will create uniform expectations between school officials and parents.



RECOMMENDATION 2

Under §8-89-6 Complaint and Investigative Procedure (i)

Add a requirement that a copy of the investigative findings be given to the complainant, and to the parent of the student with a disability, if the complainant is other than the parent.

SEAC rationale:

As a procedural safeguard, SEAC believes the investigative procedure regarding alleged misconduct toward students with disabilities should mirror the timelines and requirements for written complaints under Chapter 60, including providing a copy of the report to the parent within 60 days.

In addition to these two recommendations, SEAC has a few **questions or comments** regarding the following changes to the proposed Chapter 89 rules and subsequent training:

Definition of Bullying

Will combining the definitions of bullying and harassment and removing the terms “disability harassment” and “hostile environment” make it harder to follow the Office for Civil Rights (OCR) guidance to the field dated October 21, 2014 regarding disability-based harassment investigations? Will it make categorical data collection more difficult?

Changing the class offense of bullying/harassment and cyberbullying

Will increasing the severity of a bullying offense from Class B to Class A result in a greater number of suspensions? SEAC has previously noted that students with certain kinds of emotional disabilities may be more likely to exhibit bullying behavior. If discipline measures imposed for a more serious Class A offense include missing instructional time, then students under suspension will be at greater risk of negative educational and post-school outcomes. SEAC believes that the emphasis should be much more on preventing bullying/harassment and intervening early with positive behavioral supports, rather than imposing harsh punishments.

Training on New Procedures in Chapters 19 and 89

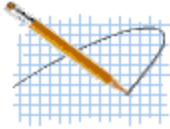
Training of administrators needs to include how to determine if FAPE has been affected for students with a disability. Ideally it should include OCR’s recommended proactive steps to take when a complaint of bullying involving a student with a disability is received. These include convening the IEP or 504 Team to determine whether and to what extent: 1) the student’s educational needs have changed; 2) the bullying impacted the student’s receipt of FAPE services, and 3) whether additional or different services are needed and provided in a timely manner.

Thank you for the opportunity to provide recommendations on these important regulations. Should you have questions, we will be happy to provide answers or clarification.

Respectfully,


Martha Guinan
SEAC Chair


Ivalee Sinclair
Legislative Committee Chair



"Ratway, Beth" <BRatway@air.org>

10/03/2018 06:32 PM

To "testimony_boe@notes.k12.hi.us"

<testimony_boe@notes.k12.hi.us>

cc

Subject Testimony for adoption of the Hawaii
Core Standards in Social Studies

TESTIMONY BEFORE THE BOARD OF EDUCATION
STUDENT ACHIEVEMENT MEETING

October 3, 2018

Beth Ratway

Senior Technical Assistance Consultant

Pacific Regional Comprehensive Center

AGENDA ITEM: Social Studies Standards for Elementary and Secondary

Dear Honorable Chair Cox and Members Student Achievement Committee,

I am writing in strong support for the adoption of the K-12 Hawaii Core Standards in Social Studies. As a Senior Technical Assistance Consultant who has worked across the country supporting the development of high quality standards and as a former state social studies specialist and K-12 social studies teacher, I have seen the movement towards higher quality, more rigorous social studies standards.

Preparing students for the 21st century cannot be accomplished without a strong emphasis on the social studies. It is critical in today's world that we prepare students to become responsible and reflective citizens who critically examine issues and engage with diverse perspectives in order to understand their role in an ever-changing world. The structure and content of the K-12 Hawaii Core Standards in Social Studies are a solid foundation to ensure all students in Hawaii have access to a rigorous social studies curriculum that will empower them to become engaged citizens.

The K-12 Hawaii Core Standards in Social Studies set the groundwork toward a new vision of social studies for all of Hawaii's students. This set of standards will give teachers the tools they need to help young people develop the skills necessary to be engaged citizens who are effective participants in our democracy. The content and skills built into the Standards ensure that Hawaii students will emerge with the knowledge, skills, attitudes, and behaviors necessary to be informed and effective citizens.

The Standards also set the right level of specificity to help develop an articulated local curriculum which connects students to the social world through informed instructional experiences led by teachers who are committed to active civic participation.

The adoption of the Hawaii Core Standards in Social Studies will represent a bold step toward a strong vision of social studies for all of Hawaii's students.

Beth Ratway

Senior Technical Assistance Consultant
Pacific Regional Comprehensive Center
American Institutes For Research
bratway@air.org

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**



Corey Rosenlee
President
Osa Tui, Jr.
Vice President
Logan Okita
Secretary-Treasurer
Wilbert Holck
Executive Director

TESTIMONY BEFORE THE BOARD OF EDUCATION
STUDENT ACHIEVEMENT COMMITTEE MEETING

RE: AGENDA ITEM V: RECOMMENDATION FOR ACTION
A. COMMITTEE ACTION ON SOCIAL STUDIES STANDARDS FOR
ELEMENTARY AND SECONDARY

THURSDAY, OCTOBER 4, 2018

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Cox and Members of the Committee,

HSTA absolutely supports the adoption of the new social studies standards, The Hawai'i Core Standards in Social Studies, because we know that our talented social studies teachers have worked tirelessly, with others, to create these standards and aligned them with the C3 Framework for Social Studies State Standards, as well as used their professional judgement and understanding of the instructional goals in social studies for their students at each grade level. These new standards will support instructional practices to enhance the rigor of the social studies disciplines and build critical thinking, problem solving, and participatory skills of students to become engaged citizens. These are also the type of standards that encourage project-based learning and authentic assessments. We are proud of our teachers' inclusion and participation in the development of these new standards.

The important fact to note about these new Social Studies Standards that align with the C3 Framework, is that these standards are not just about memorizing a set of facts, but instead are about helping our students understand all parts of social studies, from history, to civic engagement, to geography, and how they all fit into this world and this time, and really, how understanding all of this will help them strategize to make the world a better place. That is what social studies is all about. Student engagement is at the heart of these new Social Studies Standards that align with the C3 Framework . As such, these new Social Studies Standards validate the instruction of teachers who get students immersed in their own questions, their own exploration of ideas, and their own application of learning. The

new Social Studies Standards aligned with the C3 Framework have captured what great teachers do. The development of these new Social Studies Standards in Hawaii that align to the C3 Framework are exactly that type of collaborative effort that we are excited to see us, as a state, finally complete. HSTA supports their adoption.

Dear Chair Cox and Members of the Committee,

My name is Mitzie Higa. I started teaching at Holomua Elementary in 2000. I was a teacher at Holomua Elementary in Ewa Beach for 12 years where I taught Kindergarten and then 5th grade, followed by another five years at Ewa Makai Middle School as their Curriculum Coordinator and ELL Coordinator.

I absolutely support the adoption of The Hawai'i Core Standards in Social Studies that our talented social studies teachers have worked on tirelessly to work within the C3 Framework for Social Studies State Standards. These standards along with the C3 Framework will support instructional practices to enhance the rigor of the social studies disciplines and build critical thinking, problem solving, and participatory skills of students to become engaged citizens.

I am proud to have been one of the teachers that represented Hawaii during the creation of the C3 framework, and the beginning of the development of these new Social Studies standards, until I took my current position. With the support from the HDOE and my administrators, I was allowed and encouraged to be a part of the Teacher Collaborative Council tasked with providing regular feedback during the College, Career, and Civic Life (C3) Framework for Social Studies State Standards drafting process. I also served as a member of the editorial committee where we focused on the grade level appropriateness, wording, and alignment of the K-12 indicators. I felt valued as a teacher on this project. Not only did the lead writers ask for our input on grade level appropriateness and content, but they listened to our suggestions, both large and small, and made important changes to the final product. Lastly, I worked with the Office of Curriculum and Instruction, Social Studies Department, to relook and revise our Social Studies standards to meet the needs of our students.

It was so rewarding to be a part of the state-led effort to create the College, Career, and Civic Life (C3) Framework for Social Studies State Standards to enhance social studies education and then the development of our new State Social Studies Standards. Teachers at Ewa Makai have already been aligning the C3 to their new units and assessments, including our media teachers who immediately saw the connection of C3 to their instructional units that involve students creating their own Public Service Announcements (PSA) to promote sustainability and anti-bullying messages. Other teachers saw how C3 ties directly into their students' National History Day Projects. My former principal, now retired, pointed out quite happily how the C3 aligns easily to ELA standards as well.

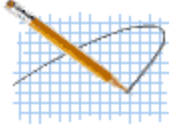
As a teacher, I have designed curriculum for myself and for others using social studies as the center of interdisciplinary units in the hopes of making social studies come alive in our classrooms for our students. I know we succeeded at doing just that. When 5th graders beg to stay in for recess to work on their social studies

projects, something has gone right in the social studies classroom. When they take what they have learned in class and ask if they can attend a local town hall meeting to speak in front of adults, including legislators and state traffic controllers, to ask for change in a dangerous traffic situation in front of our school, something has gone right in the social studies classroom. When they change an audience's mind and the traffic situation is resolved within a month with their ideas, I knew what we were doing was successful.

Student engagement is at the heart of the C3 Framework and now our new Social Studies Standards will reflect this change. As such, the C3 and the new Social Studies Standards validate the instruction of teachers who get students immersed in their own questions, their own exploration of ideas, and their own application of learning.

The new Social Studies Standards aligned with the C3 Framework have captured, what great teachers do. The development of these new Social Studies Standards in Hawaii that align to the C3 Framework are exactly that type of collaborative effort that I am excited to see us, as a state, finally complete.

I am grateful for all the input and dedication, of our teachers to complete these Social Studies Standards for Hawaii. I support the adoption of the The Hawai'i Core Standards in Social Studies.



"Jon Davidann, Ph.D." <jdavidann@hpu.edu>

10/03/2018 09:19 PM

To "testimony_boe@notes.k12.hi.us"

<testimony_boe@notes.k12.hi.us>

cc

Subject new social studies standards

The Honorable Margaret Cox, Chairperson, Student Achievement Committee (SAC)

I am submitting testimony in favor of the new social studies standards. I was the consultant for the high school world history standards. I was also the social studies program coordinator at HPU for several years, so I am very familiar with the current standards. The current standards cover way too much material to be usable. The new standards are more selective and are based upon the inquiry method, which is the standard method for doing research and teaching at the college level. The inquiry method will transform DOE students into curious learners instead of rote memorizers. The social studies curriculum will come alive for Hawaii students if they can pursue critical and important questions instead of covering as we say in history "one damn thing after another," as is the case in the current standards. I am wholeheartedly in support of the adoption of the Hawaii Core Standards in Social Studies.

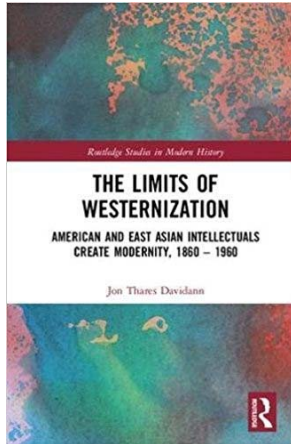
Best,

Jon Davidann, Ph.D.
Professor of History
Hawai'i Pacific University
1188 Fort St. (Model Progress Building), Rm. MP 325
Honolulu, HI 96813
Ph: 808-544-0811
Fax: 808-543-8065
Email: jdavidann@hpu.edu

Latest book: *The Limits of Westernization*

<https://www.amazon.com/Limits-Westernization-Routledge-Studies-History/dp/1138068209>

Free sample: <https://read.amazon.com/?asin=B07FFBK5TS>



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Lorey Ishihara <loreishihara@gmail.com>

10/03/2018 10:02 PM

To testimony_boe@notes.k12.hi.us
cc
Subject Testimony

Dear Members of the Board of Education:

Aloha, my name is Lorey Ishihara, a teacher at Kahuku High & Intermediate School. I am sending you this letter to humbly request that you support the new Kindergarten through Grade 12 social studies content standards. There have been many hours of teacher collaboration in writing the new content standards for the social studies. History professors from universities in Hawaii, as well as, consultants in writing standards have been a great support through the whole process of developing new content standards for each grade level

I feel that it is a very exciting time for Hawaii because the new social studies standards have been written to engage students in learning through the inquiry arc. It will foster the development of historical thinking skills. The themes for each unit will incorporate multiple disciplines of the social studies: history, geography, economics, and civics in order to prepare our students for college, career, and civic life. Students will be able to ask compelling questions and address them through primary and secondary sources.

With the adoption of these new standards our classrooms will be buzzing with great discussions, questions, ideas, collaboration in problem-solving, and taking informed action on various issues. With your support of these new standards, learning in the classroom will be way more engaging for our students, and they will be able to "lead with a sense of history."

Thank you for your time, effort, and earnest support of the new K through 12 social studies standards.

Sincerely,

Lorey Ishihara, Social Studies Teacher

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S E A C
Special Education Advisory Council

919 Ala Moana Blvd., Room 101

Honolulu, HI 96814

Phone: 586-8126 Fax: 586-8129

email: spin@doh.hawaii.gov

October 4, 2018

**Special Education
Advisory Council**

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Dr. Patricia Sheehey, *Vice
Chair*
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to the Superintendent*
Dr. Bob Campbell, *liaison to
the military community*

Amanda Kaahanui, Staff
Susan Rocco, Staff

Catherine Payne, Chair
Hawaii State Board of Education
P. O. Box 2360
Honolulu, HI 96804

RE: VII. C. Board Action on Finance and Infrastructure and Student
Achievement Joint Committee recommendations concerning
approving for public hearing draft amendments to Hawaii
Administrative Rules, Chapter 19

Dear Chair Payne and Members of the Committee,

The Special Education Advisory Council (SEAC) welcomes this
opportunity to provide further testimony on the proposed rule changes
for Chapter 19. We are appreciative that the latest draft of Chapter 19
incorporates a number of recommendations from our September 6th
testimony including:

- revising the parent definition to acknowledge parents of adult
children with disabilities who are acting as their child's educational
representative or agent under a Power of Attorney and therefore
retain their legal right to make educational decisions for their child;
- adding the above-mentioned parents as parties authorized to file
complaints; and
- requiring that the principal or their designee ensure that a student's
free and appropriate public education (FAPE) is not affected in
complaints involving students with disabilities.

SEAC continues to have concerns about two recommendations that we
believe are not adequately addressed in this second draft, and we would
therefore like to restate them:

RECOMMENDATION 1

Under §8-19-2 Definitions. "Immediate interventions"

State a specific timeline for "immediate" interventions (for example,
within 24-48 hours).

SEAC's rationale:

The Department revised its original definition of immediate



SEAC's rationale for Recommendation 1 (cont.):

intervention to state that it should be implemented "as soon as possible." This phrase is much too subjective. Specifying a concrete timeline will create uniform expectations between school officials and parents.

RECOMMENDATION 2

Under SUBCHAPTER 8, §8-19-31 Investigation (a)

The draft language reads "Once an investigation is initiated, the principal or designee shall make a good faith effort at the earliest point possible to inform the parent about the investigation." This sentence should be amended to specify a timeline (for example, on the day of the complaint, within 24 hours of a complaint, etc.) rather than use the vague language "at the earliest point possible."

SEAC's rationale:

Having vague timelines reduces accountability and leads to misunderstandings between parents and school personnel. SEAC has asked the Department on several occasions to issue instructions to the field to notify parents of incidents at school **on the same day of the incident**. Children with disabilities often lack the ability to clearly express events that happen at school that may have upset or traumatized them. Parents have a right to timely information, so that they can appropriately support and/or advocate for their child.

In addition to these two recommendations, SEAC has a few **questions or comments** regarding the following changes to the proposed Chapter 19 rules and subsequent training:

1) Definition of Bullying

Will combining the definitions of bullying and harassment and removing the terms "disability harassment" and "hostile environment" make it harder to follow the Office for Civil Rights (OCR) guidance to the field dated October 21, 2014 regarding disability-based harassment investigations? Will it make categorical data collection more difficult?

2) Changing the class offense of bullying/harassment and cyberbullying

Will increasing the severity of a bullying offense from Class B to Class A result in a greater number of suspensions? SEAC has previously noted that students with certain kinds of emotional disabilities may be more likely to exhibit bullying behavior. If discipline measures imposed for a more serious Class A offense include missing instructional time, then students under suspension will be at greater risk of negative educational and post-school outcomes. SEAC believes that the emphasis should be much more on preventing bullying/harassment and intervening early with positive behavioral supports, rather than imposing harsh punishments.

3) Training on New Procedures in Chapters 19 and 89


Training of administrators needs to include how to determine if FAPE has been affected for students with a disability. Ideally, it should include OCR's recommended proactive steps to



- 3) Training on New Procedures in Chapters 19 and 89 (cont.)
take when a complaint of bullying involving a student with a disability is received. These include convening the IEP or 504 Team to determine whether and to what extent: 1) the student's educational needs have changed; 2) the bullying impacted the student's receipt of FAPE services, and 3) additional or different services are needed and provided in a timely manner. In addition, the training needs to be nuanced enough to include protocols for addressing bullying behavior where the perpetrator and the victim are both students with disabilities.

Thank you for the opportunity to provide recommendations on these important regulations. Should you have questions, we will be happy to provide answers or clarification.

Respectfully,


Martha Guinan
SEAC Chair


Ivalee Sinclair
Legislative Committee Chair



Hong Jiang <hjiang@hawaii.edu>

10/03/2018 11:46 PM

To testimony_boe@notes.k12.hi.us
cc
Subject support the Hawaii Core Standards in
Social Studies

To: The Honorable Margaret Cox, Chairperson, Student Achievement Committee (SAC)
From: Hong Jiang, Associate Professor and Chair, Department of Geography and Environment,
UHM

Position: Support the adoption of the Hawaii Core Standards in Social Studies

Oct 3, 2018

Dear Chairperson Cox,

I am writing to submit my written testimony in support of the adoption of the Hawaii Core Standards in Social Studies.

As an associate professor and chair of the Department of Geography and Environment at University of Hawaii at Manoa, I am truly impressed by the Hawaii Core Standards in Social Studies in its comprehensive engagement with complex topics of history, economics, geography, and civics in K-12 education. The Standards are carefully thought-out from conceptualization to implementation, and they will help prepare students succeed in college and careers.

I wish to highlight the content in the Core Standards related to Geography. Over the years of teaching and research at the university level, I was troubled by the public misperception of Geography as simply about maps and locations, and the discipline's broad concerns about human relationship with the environment largely escaped people's awareness. I believe the misperception partly came from a narrow scope of Geography education in K-12. I am really excited and greatly encouraged by the Hawaii Core Standards in Social Studies in its treatment of Geography topics that include not only map reading and locational understanding, but also contemporary environmental issues and how humanity interacts with and impacts on the environment. In conversations with UH-Manoa colleagues in other social science disciplines, I am convinced that the Core Standards treat other topics (i.e. history, economics, civic engagement) with the same quality of care and comprehensiveness. In addition, topics from different disciplines are integrated, and students' engagements and critical thinking skills are being developed. I believe this set of Standards will help fully prepare students to succeed in the future.

I wish I could present my testimony in person tomorrow, but I teach at that time. Please accept this written support of the Hawaii Core Standards in Social Studies.

Sincerely,

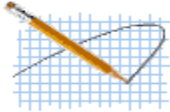
Hong Jiang

Associate Professor and Chair
Department of Geography and Environment
University of Hawaii at Manoa
hjiang@hawaii.edu

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Jody Africa Aguilar/MAUIHS/HIDOE

10/04/2018 11:47 AM

To Testimony BOE/HIDOE@HIDOE
cc
Subject Testimony

The Honorable Margaret Cox,
Chairperson Student Achievement Committee

I am writing in support of adapting of the Hawaii State core Standards in Social Studies

Having these standards will help guide teachers to teach students more effectively in the 21st Century.

The details of essential questions, Hawai'i's revised K through 12 content standards aligns with the C3 Framework for Social Studies, an inquiry approach to learning.

To list a few of the positive qualities of these standards teachers are to look forward to utilizing are:

- Inquiry based learning to prepare students for college, career, and civic life
- Inquiry based lessons empower student voice and enables students to take ownership of their learning.
- The structure of these standards are organized by theme, each theme begins with a Compelling Question, and each content standard is connected to an anchor standard.
- Teachers are empowered to use content that is best for their students.

Thank you for taking the time to read my support for these phenomenal new standards that will undoubtedly be an undeniable benefit to our teachers throughout the State of Hawaii.

Sincerely,

Mrs. Jody Africa Aguilar

Mrs. Jody Africa Aguilar
Special Education Teacher
Social Studies Resource Classroom and Inclusion Teacher
SPED Reading Workshop Instructor
Maui High School
(808) 727-4139

"Don't be afraid to pursue your goals—even your dreams!" "There is no shortcut to excellence and competence. Education is the difference between wishing you could help other people and being able to help them." Russell M. Nelson

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HAWAI'I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 • PHONE: 586-8636 • FAX: 586-8655 • TDD: 568-8692

To: The Honorable Catherine Payne
Chair, Board of Education Board of Education
Testimony_boe@notes.k12.hi.us

From: Robin Wurtzel
Chief Counsel, Hawai'i Civil Rights Commission

Re: Hawai'i Administrative Rules Chapter 89

Date: October 4, 2018

I am submitting testimony regarding the amendments to Hawai'i Administrative Rules, title 8, chapter 89, regarding Student Complaints Against Adults.

Hawai'i Civil Rights Commission applauds the rules, and the updating of definitions. We support the intent of the changes, and the clarity of the amendments.

We suggest a change to H.A.R. §8-89-6 Complaint and Investigative Procedure. As written the rule allows oral complaints, as well as written complaints. However, the substance of the oral complaint is parallel to the written complaint, requiring a full report, including details such as the name or description of the respondent, date of incident, the protected basis of the complainant, description of harm or injury - details that may be difficult for a student to articulate.

In the employment context, once an employer is on reasonable notice of harassment, the employer must take corrective action. Notice can be from the victim, an observer, their own observations or other means. Once an employer is on notice of harassment, the burden is on the employer, not the victim.

We suggest that the same standard apply to harassment of students as applies to employers, particularly given the power differential between students and adults. Therefore, we suggest re-writing H.A.R. §8-89-6 to allow not only oral complaints, but that once the DOE is on notice of a complaint, that the DOE must make an investigation, including asking the student for the information listed in §8-89-6 (b)(1) – (5).

We are suggesting that if a school knew or should have known of harassment, then the duty is on the school to obtain the required information. This would allow a

student to make a complaint without the need to provide all the details currently required, and require the school to obtain or elicit those details. Notice to the DOE would trigger an investigation, much like the employment context. Suggestions are below.

Thank you for the opportunity to testify.

§8-89-6 Complaint and Investigative Procedure. (a)

Complaints stemming from allegations that fall under this chapter may be filed by:

- (1) Students who experience discrimination, harassment (including sexual harassment), bullying, or retaliation;
- (2) Students who witness discrimination, harassment (including sexual harassment), bullying, or retaliation against another student;
- (3) Parents, legal guardians, educational representatives, or individuals with a power of attorney who know about or witness discrimination, harassment (including sexual harassment), bullying, or retaliation against a student; or
- (4) Employees, staff, or volunteers who witness or know about discrimination, harassment (including sexual harassment), bullying, or retaliation against a student.

(b) Complaints alleging violations of this chapter can be made using the DOE's Anti-Harassment, Anti-Bullying, and Anti-Discrimination Against Student(s) Policy Complaint Form. Individuals who do not have access to or prefer not to use the DOE's Anti-Harassment, Anti-Bullying, and Anti-Discrimination Against Student(s) Policy Complaint Form can nonetheless make a complaint, either in writing or orally, by providing the DOE with the following information with notice of discrimination, harassment (including sexual harassment), bullying, or retaliation. This will trigger an investigation requiring the DOE to obtain:

- (1) The name of the respondent or a sufficient description of the respondent so that an identity can be determined;
- (2) The date(s) when the alleged discrimination occurred;
- (3) The protected basis of the complaint and a factual description of how the discrimination allegedly occurred;
- (4) A description of the injury or harm, if any; and
- (5) Attachments, if any, documenting the alleged conduct.

(c) Written complaints may be given to any teacher or staff, principal, vice-principal, complex area superintendent, or the CRCB. Verbal complaints may be made either in person or over the phone to any teacher or staff, principal, vice-principal, complex area superintendent, or the CRCB. All complaints must be forwarded as soon as possible to the CRCB for processing, and failure to report a student's complaint may result in disciplinary action.



HAWAI'I CIVIL RIGHTS COMMISSION

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To: The Honorable Catherine Payne
Chair, Board of Education
Testimony_boe@notes.k12.hi.us

LATE TESTIMONY

From: Robin Wurtzel
Chief Counsel, Hawai'i Civil Rights Commission

Re: Hawai'i Administrative Rules Chapter 89

Date: October 4, 2018

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We are suggesting that if a school knew or should have known of harassment, then the duty is on the school to obtain the required information. This would allow a

student to make a complaint without the need to provide all the details currently required and require the school to obtain or elicit those details. Notice to the DOE would trigger an investigation, much like the employment context. Suggestions are below.

Thank you for the opportunity to testify.

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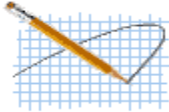
- (1) Students who experience discrimination, harassment (including sexual harassment), bullying, or retaliation;
- (2) Students who witness discrimination, harassment (including sexual harassment), bullying, or retaliation against another student;
- (3) Parents, legal guardians, educational representatives, or individuals with a power of attorney who know about or witness discrimination, harassment (including sexual harassment), bullying, or retaliation against a student; or
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- (1) The name of the respondent or a sufficient description of the respondent so that an identity can be determined;
- (2) The date(s) when the alleged discrimination occurred;
- (3) The protected basis of the complaint and a factual description of how the discrimination allegedly occurred;
- (4) A description of the injury or harm, if any; and
- (5) Attachments, if any, documenting the alleged conduct.

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Late Testimony



Janyce Omura/MAUIHS/HIDOE

10/04/2018 07:19 PM

To Testimony BOE/HIDOE@HIDOE
cc
Subject Testimony in Support of the HCSSS

Good Morning Honorable Cox and Committee Members,

Name: Janyce Omura

Position: Department of Education, Maui High School, Secondary Social Studies Educator

Meeting: Student Achievement and General Business Meeting

Position: I strongly support the adoption of the Hawaii Core Standards in Social Studies (HCSSS) for several reasons:

- The new Social Studies standards offer teachers more rigorous curricula, which supports all learners. These standards are based upon our College and Career, and Civic Life –C3 Framework for Social Studies State Standards to meet the needs and demands of the 21st century citizen.
- These standards incorporate the concept of *Taking Informed Action* so students will make connection with classroom learning and real-world issues. This brings further meaning about the relationship between content knowledge and the application of skills into their daily lives. To instill active engagement is a vital element for maintaining student interest in the curricula and sparking curiosity about the world around them.
- These new standards foster Inquiry, deliberation, and discourse in a civil

manner. These skills taught in schools will help our students become productive and contributing members in society.

- As one of many educators working collaboratively with others across the state under the leadership of Social Studies specialist, Rosanna Fukuda, it was a privilege and one of my best professional development experiences. Working with university scholars, and experts in the field, it gave me a greater appreciation for the need to adopt the new HCSSS.

Sincerely,

Janyce M. Omura

Janyce_omura@notes.k12.hi.us

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Sandra Rivas
611 Front Street
Lahaina, HI 96761
Teacher
King Kamehameha III Elementary



October 2, 2018

General Board Meeting,

Aloha, I am Sandra Rivas, from King Kamehameha III Elementary School in Lahaina. I am writing in regards to the Social Studies Standards for Elementary and Secondary. I am in support of adoption of the K-12 Hawaii Core Standards in Social Studies. Our state and nation needs a stronger civil society, thus the importance of citizens with knowledge and skills in civics, geography, history, economics, and culture. In order for Hawaii to achieve this we need to update our Social Studies standards to be relevant in the 21st century and beyond. Students need the tools provided in the social studies standards to understand civics, geography, history, economics, and culture by making connections to our communities, islands, and nation. The Social Studies standards encourages place-based and project-based learning, which is essential for the understanding of students' physical environment and communities. These standards call for students to become more prepared for the challenges of college and career, and most important preparation for civic life in the real world. There will always be different point of views on social issues, the goal of knowledgeable, thinking and active citizens, however, is universal, to promote the common good. Please vote to approve the social studies standards for our keiki to be prepared for civic life.

Warm regards,
Sandra Rivas
611 Front Street
Lahaina, HI 96761
Teacher
King Kamehameha III Elementary

