
A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that studies show a
2 direct link between academic performance and students' feelings
3 of safety in the school environment. Discrimination and
4 harassment can create a climate of fear that often results in
5 increased rates of absenteeism and decreased academic
6 performance. Disruptive or violent behaviors, including
7 discrimination, harassment, intimidation, and bullying not only
8 hinder a student's ability to learn, but also hampers a school's
9 ability to educate its students.

10 Although article X, section 1 of the Hawaii state
11 constitution prohibits discrimination in public educational
12 institutions based on race, religion, sex, or ancestry, and
13 while the board of education has adopted a policy against
14 discrimination in the public school system on the basis of race,
15 color, religion, sex, age, national origin, ancestry, or
16 disability, there is no existing statutory provision that
17 expressly prohibits discrimination and harassment of students in
18 an educational setting.



1 The purpose of this Act is to promote a safe learning
2 environment by protecting students from discrimination and
3 harassment.

4 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 "§302A- Discrimination and harassment prohibited in

8 schools. (a) Discrimination and harassment on the basis of
9 actual or perceived race, color, religion, sex, age, national
10 origin, ancestry, disability, sexual orientation, and gender
11 identity is prohibited in public educational institutions.

12 (b) The board of education shall adopt new rules or amend
13 its existing rules, procedures, and disciplinary processes in
14 responding to discrimination and harassment complaints under
15 this section.

16 (c) The department of education shall provide the
17 necessary training to staff and teachers to recognize
18 discrimination and harassment and report its occurrence to the
19 appropriate authorities."

20 SECTION 3. Chapter 302B, Hawaii Revised Statutes, is
21 amended by adding a new section to be appropriately designated
22 and to read as follows:



1 "§302B- Discrimination and harassment prohibited in
 2 charter schools. Discrimination and harassment on the basis of
 3 actual or perceived race, color, religion, sex, age, national
 4 origin, ancestry, disability, sexual orientation, and gender
 5 identity is prohibited in charter schools."

6 SECTION 4. This Act does not affect rights and duties that
 7 matured, penalties that were incurred, and proceedings that were
 8 begun, before its effective date.

9 SECTION 5. New statutory material is underscored.

10 SECTION 6. This Act shall take effect upon its approval.

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Report Title:

Safe Schools; Discrimination; Harassment

Description:

Prohibits discrimination and harassment in public schools. Requires the board of education to adopt new or amend current rules to implement this Act. Requires the board of education to provide training to staff and teachers.

