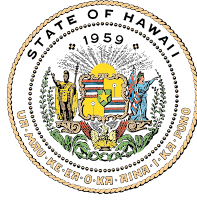


JOSH GREEN, M.D.
GOVERNOR



KEITH T. HAYASHI
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

December 22, 2022

The Honorable Ronald D. Kouchi, President
and Members of the Senate
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki, Speaker
and Members of the House of Representatives
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the annual report, Title IX Complaints, pursuant to Act 242, Session Laws of Hawaii 2022. In accordance with Section 93-16, Hawaii Revised Statutes, I am also informing you that the report may be viewed electronically at: <http://www.hawaiipublicschools.org/VisionForSuccess/SchoolDataAndReports/StateReports/Pages/Legislative-reports.aspx>.

Sincerely,

A handwritten signature in blue ink that reads "Keith T. Hayashi".

Keith T. Hayashi
Superintendent

KTH:bs

c: Legislative Reference Bureau
Hawaii State Public Library System
University of Hawaii
Office of Talent Management



State of Hawaii
Department of Education

Annual Report on Title IX Complaints

December 2022

Act 242, Session Laws of Hawaii 2022, requires the Hawaii State Department of Education to annually report on the number and types of Title IX complaints.

TITLE IX COMPLAINTS LEGISLATIVE REPORT

The Hawaii State Department of Education (Department) is committed to Title IX of the Educational Amendments of 1972 (Title IX) and the tenets that it upholds. In 2020, the federal Title IX regulations were heavily revised to include a specific grievance process that must be complied with, should the alleged sexually harassing conduct meet certain criteria. As a result of the 2020 revisions, the Department drafted and implemented the Interim Grievance Procedures for Sexual Harassment (Interim Procedures). The Interim Procedures delineate a specific grievance process, that reflects the federal requirements to address reports and complaints of sexual harassment.

The Department understands that the 2020 revisions “raised the bar” as to what types of conduct would constitute “sexual harassment” under Title IX. The Department also agrees with the Hawaii State Legislature that “ensuring the prohibition of discrimination on the basis of sex, including gender identity or expression, or sexual orientation, is a matter of statewide concern.”¹ To this end, the Department continues to address reports of sexual harassment that do not meet the requirements of Title IX through other applicable Department policies and procedures.

This report provides data for School Year (SY) 2021-2022 on both Title IX and non-Title IX complaints of sexual harassment. The data is further disaggregated by complex area and type. The information reflected in this report is based on the data requirements contained in Act 242.

This report does not cover data at charter schools as the Department does not collect this information.

- 1. The total number of complaints alleging a violation of this chapter or Title IX that were received by the Department and the number of complaints received in each of the following categories:**
 - a. The number of complaints received at each Department of Education complex area as applicable; and**
 - b. The types of complaints, including but not limited to sexual harassment, gender-based harassment, sexual assault, domestic violence, or stalking.**

Non-Title IX Sex-Based Complaints

Student Respondent Data

Sex-based complaints that do not fall under the Title IX process, and involve a student as the alleged respondent, are addressed by school administrators through applicable rules and policies. The process generally used to address such reports is Hawaii Administrative Rule Chapter 19 *Student Misconduct, Discipline, School Searches and Seizures, Reporting Offenses, Police Interviews and Arrests, and Restitution for Vandalism* (Chapter 19). Chapter 19 governs student

¹ See Act 242 (2022)

misconduct and discipline. Chapter 19 includes a process for student misconduct based on a protected class, including, but not limited to bullying and cyberbullying, discrimination, and harassment, as well as definitions for what is prohibited protected class conduct.

Student misconduct incidents are inputted into the Department’s student information system, which is referred to as Infinite Campus. Administrators input information regarding the type of misconduct, a summary of the alleged conduct, the individuals involved, and disciplinary actions taken. For incidents that are considered discrimination, harassment, bullying, and/or retaliation, Chapter 19 requires that a written notice and summary of the incident are sent to the complainant(s) and respondent(s).

During the 2021-2022 SY, a total of 364 cases were inputted into Infinite Campus regarding sex-related cases. These included both “complaints” and verified incidents. The Baldwin-Kekaulike-Maui complex had the most cases of sexual harassment at 66 cases. The Campbell-Kapolei complex followed with 31 cases of sexual harassment, and the Pearl City-Waipahu complex with 25 cases of sexual harassment.

Regarding gender-based harassment, both the Baldwin-Kekaulike-Maui complex and Kapaa-Kauai-Waimea complex had three cases, followed by the Campbell-Kapolei complex and Leilehua-Mililani-Waialua complex at two cases each. There were three complexes that inputted one case of gender-based harassment.² The remaining eight complexes did not indicate gender-based harassment cases.³

The Kailua-Kalaheo complex inputted the most cases of sexual exploitation, at two cases. Seven complexes⁴ indicated one case of sexual exploitation, while the remaining seven complexes⁵ did not indicate any sexual exploitation cases.

Only three complexes inputted cases for stalking. These three complexes were Baldwin-Kekaulike-Maui, Campbell-Kapolei, and Farrington-Kaiser-Kalani. The remaining 12 complexes did not indicate cases of stalking.⁶

The Baldwin-Kekaulike-Maui and Leilehua-Mililani-Waialua complexes both inputted five cases of sex assault. The Kaimuki-McKinley-Roosevelt complex followed with three cases of sex assault.

² These three complexes were: Hilo-Waiakea, Honokaa-Kealakehe-Kohala-Konawaena, and Kaimuki-McKinley-Roosevelt.

³ These eight complexes were: Aiea-Moanalua-Radford, Castle-Kahuku, Farrington-Kaiser-Kalani, Hana-Lahainaluna-Lanai-Molokai, Kailua-Kalaheo, Kau-Keaau-Pahoa, Nanakuli-Waianae, and Pearl City-Waipahu.

⁴ These seven complexes were: Baldwin-Kekaulike-Maui, Campbell-Kapolei, Castle-Kahuku, Farrington-Kaiser-Kalani, Hilo-Waiakea, Honokaa-Kealakehe-Kohala-Konawaena, and Pearl City-Waipahu.

⁵ These seven complexes were: Aiea-Moanalua-Radford, Hana-Lahainaluna-Lanai-Molokai, Kaimuki-McKinley-Roosevelt, Kapaa-Kauai-Waimea, Kau-Keaau-Pahoa, Leilehua-Mililani-Waialua, and Nanakuli-Waianae.

⁶ These 12 complexes were: Aiea-Moanalua-Radford, Castle-Kahuku, Hana-Lahainaluna-Lanai-Molokai, Hilo-Waiakea, Honokaa-Kealakehe-Kohala-Konawaena, Kailua-Kalaheo, Kaimuki-McKinley-Roosevelt, Kappa-Kauai-Waimea, Kau-Keaau-Pahoa, Leilehua-Mililani-Waialua, Nanakuli-Waianae, and Pearl City-Waipahu.

Three complexes reported zero cases of sexual assault.⁷ The remaining eight complexes reported a range of one to two cases of sex assault.⁸

Table 1 illustrates the data for the cases inputted into Infinite Campus.

It should be noted that although 364 cases were inputted into Infinite Campus, Table 1 indicates a total of 373 cases. This is due to nine cases having multiple sex-related offenses. The Aiea-Moanalua-Radford complex had one case that accounted for both sexual harassment and sex assault offenses. The Baldwin-Kekaulike-Maui complex had one case that accounted for both sexual harassment and sexual exploitation offenses, a second case that accounted for sexual harassment and sex assault offenses, and a third case that accounted for sexual harassment and stalking offenses. The Campbell-Kapolei complex had one case that accounted for both sexual harassment and sexual exploitation offenses. The Honokaa-Kealakehe-Kohala-Konawaena had one case that accounted for both sexual harassment and sexual exploitation offenses and a second case that accounted for both sexual harassment and gender-based offenses. The Kailua-Kalaheo complex had two cases that included both sexual harassment and sexual exploitation offenses.

Table 1: Student Respondent – Cases Inputted

Complex Area	Sex Harassment	Gender-Based Harassment	Sexual Exploitation	Stalking	Sex Assault	Total Cases
Aiea-Moanalua-Radford	11	0	0	0	2	13
Baldwin-Kekaulike-Maui	66	3	1	1	5	76
Campbell-Kapolei	31	2	1	1	1	36
Castle-Kahuku	16	0	1	0	2	19
Farrington-Kaiser-Kalani	22	0	1	1	2	26
Hana-Lahainaluna-Lanai-Molokai	10	0	0	0	0	10
Hilo-Waiakea	17	1	1	0	0	19
Honokaa-Kealakehe-Kohala-Konawaena	18	1	1	0	1	21
Kailua-Kalaheo	9	0	2	0	1	12
Kaimuki-McKinley-Roosevelt	24	1	0	0	3	28

⁷ These three complexes were: Hana-Lahainaluna-Lanai-Molokai, Hilo-Waiakea, and Nanakuli-Waianae.

⁸ These eight complexes were: Aiea-Moanalua-Radford, Campbell-Kapolei, Castle-Kahuku, Farrington-Kaiser-Kalani, Honokaa-Kealakehe-Kohala-Konawaena, Kailua-Kalaheo, Kapaa-Kauai-Waimea, and Kau-Keaau-Pahoa.

Complex Area	Sex Harassment	Gender-Based Harassment	Sexual Exploitation	Stalking	Sex Assault	Total Cases
Kapaa-Kauai-Waimea	16	3	0	0	1	20
Kau-Keaau-Pahoa	23	0	0	0	2	25
Leilehua-Mililani-Waialua	22	2	0	0	5	29
Nanakuli-Waianae	11	0	0	0	0	11
Pearl City-Waipahu	25	0	1	0	2	28
Overall Totals	321	13	9	3	27	373

Employee Respondent Data

The Department’s Civil Rights Compliance Branch (CRCB) is responsible for ensuring the Department’s overall compliance with federal and state civil rights laws, as well as internal policies and procedures that focus on protected class conduct. As such, one of the CRCB’s responsibilities is to address reports and complaints of discrimination, harassment, bullying, and retaliation on the basis of a protected class, where an employee is the alleged respondent. Protected class conduct includes conduct on the basis of an individual’s sex, gender identity, gender expression, and sexual orientation.

The Department has two board policies that address such conduct: (1) Hawaii State Board of Education Policy 305-10 (BOE Policy 305-10); and (2) Board of Education Policy 900-1 (BOE Policy 900-1). BOE Policy 305-10 is the Department’s anti-harassment, anti-bullying, anti-discrimination against student(s) by employees policy. BOE Policy 900-1 is the Department’s applicant and employee non-discrimination policy.

As explained above, sex-based complaints must meet certain criteria for the Title IX grievance process to apply. Where the Title IX criteria is not met, sex-based complaints are addressed via BOE Policy 305-10 or BOE Policy 900-1, for situations where the alleged respondent was an employee. During the 2021-2022 SY, the CRCB received 37 BOE Policy 305-10 complaints and 17 BOE Policy 900-1 complaints, resulting in a total of 54 non-Title IX sex-based complaints. Of the 37 BOE Policy 305-10 complaints, 35 concerned sex harassment, one complaint concerned conduct on the basis of sexual orientation, and five complaints regarding gender identity and gender expression. Of the 17 BOE Policy 900-1 complaints, 15 concerned sexual harassment, three concerned sexual orientation, one concerning gender identity, and one concerning gender expression. It should be noted that for both the BOE Policy 305-10 and the BOE Policy 900-1 complaints, one complaint could include multiple protected classes, *e.g.*, gender identity, gender expression, sexual harassment.

Table 2 illustrates the data for BOE Policy 305-10 complaints. Table 3 illustrates the information for BOE Policy 900-1 complaints. Both tables further categorize the data by complex area.

Table 2: BOE Policy 305-10 – Student Complainant v. Employee Respondent (Totals & Case Types) *NOTE: Cases may have more than one protected class.

Complex Area	Sex	Sex Orientation	Gender Identity	Gender Expression	Sexual Violence	Stalking	Total Cases*
Aiea-Moanalua-Radford	1	0	0	0	0	0	1
Baldwin-Kekaulike-Maui	2	0	0	1	0	0	3
Campbell-Kapolei	6	0	2	1	0	0	6
Castle-Kahuku	2	0	0	0	0	0	2
Farrington-Kaiser-Kalani	4	0	1	1	0	0	4
Hana-Lahainaluna-Lanai-Molokai	3	0	1	1	0	0	3
Hilo-Waiakea	1	0	1	0	0	0	2
Honokaa-Kealakehe-Kohala-Konawaena	5	1	0	0	0	0	5
Kailua-Kalaheo	0	0	0	0	0	0	0
Kaimuki-McKinley-Roosevelt	0	0	0	0	0	0	0
Kapaa-Kauai-Waimea	4	0	0	0	0	0	4
Kau-Keaau-Pahoa	2	0	0	0	0	0	2
Leilehua-Mililani-Waialua	1	0	0	0	0	0	1
Nanakuli-Waianae	1	0	0	0	0	0	1
Pearl City-Waipahu	3	0	0	1	0	0	3
Overall Totals	35	1	5	5	0	0	37

Table 3: BOE Policy 900-1 – Employee Complainant v. Employee Respondent (Totals & Case Types) *NOTE: Cases may have more than one protected class

Complex Area	Sex	Sex Orientation	Gender Identity	Gender Expression	Sexual Violence	Stalking	Total Cases*
Aiea-Moanalua-Radford	0	0	0	0	0	0	0
Baldwin-Kekaulike-Maui	2	0	0	0	0	0	2
Campbell-Kapolei	2	2	1	1	0	0	3
Castle-Kahuku	0	0	0	0	0	0	0
Farrington-Kaiser-Kalani	1	0	0	0	0	0	1
Hana-Lahainaluna-Lanai-Molokai	0	0	0	0	0	0	0
Hilo-Waiakea	0	0	0	0	0	0	0
Honokaa-Kealakehe-Kohala-Konawaena	6	0	0	0	0	0	6
Kailua-Kalaheo	0	0	0	0	0	0	0
Kaimuki-McKinley-Roosevelt	0	1	0	0	0	0	1
Kapaa-Kauai-Waimea	0	0	0	0	0	0	0
Kau-Keaau-Pahoa	1	0	0	0	0	0	1
Leilehua-Mililani-Waialua	1	0	0	0	0	0	1
Nanakuli-Waianae	1	0	0	0	0	0	1
Pearl City-Waipahu	1	0	0	0	0	0	1
Overall Totals	15	3	1	1	0	0	17

Title IX Sex-Based Complaints

During the 2021-2022 SY, the CRCB determined that 52 reports of sex-based complaints either initially met the criteria for the Title IX grievance process or were initially submitted to the CRCB as a formal complaint under the Title IX process. The Campbell-Kapolei complex had the most complaints that met the Title IX criteria, with 12 complaints. The Kaimuki-McKinley-Roosevelt complex and the Baldwin-Kekaulike-Maui complex followed, with six complaints, each initially determined to have met the Title IX criteria. The Kailua-Kalaheo and Hana-Lahainaluna-Lanai-Molokai complexes did not have any Title IX complaints during the 2021-2022 SY. The remaining ten complex areas ranged from having one to four Title IX complaints.⁹

The majority of the allegations concerned sex assault (36). Sex harassment (13) and stalking (3) constituted the remaining types of allegations. There were no complaints of gender-based harassment and domestic violence that met the Title IX criteria.

Table 4 illustrates the data for Title IX complaints, further categorized by each complex area.

Table 4: Title IX (Totals & Case Types)

Complex Area	Type: Sex Harassment	Type: Sex Assault	Type: Gender Based Harassment	Type: Domestic Violence	Type: Stalking	Total
Aiea-Moanalua-Radford	0	2	0	0	0	2
Baldwin-Kekaulike-Maui	1	5	0	0	1	7
Campbell-Kapolei	3	9	0	0	0	12
Castle-Kahuku	0	2	0	0	0	2
Farrington-Kaiser-Kalani	0	1	0	0	0	1
Hana-Lahainaluna-Lanai-Molokai	0	0	0	0	0	0
Hilo-Waiakea	1	1	0	0	0	2
Honokaa-Kealakehe-Kohala-Konawaena	1	2	0	0	0	3
Kailua-Kalaheo	0	0	0	0	0	0
Kaimuki-McKinley-Roosevelt	1	4	0	0	1	6
Kapaa-Kauai-Waimea	2	2	0	0	0	4

⁹ These ten complexes were: Farrington-Kaiser-Kalani, Aiea-Moanalua-Radford, Leilehua-Mililani-Waiialua, Pearl City-Waipahu, Nanakuli-Waianae, Castle-Kahuku, Hilo-Waiakea, Kau-Keaau-Pahoa, Honokaa-Kealakehe-Kohala-Konawaena, and Kapaa-Kauai-Waimea.

Complex Area	Type: Sex Harassment	Type: Sex Assault	Type: Gender Based Harassment	Type: Domestic Violence	Type: Stalking	Total
Kau-Keaau-Pahoa	0	4	0	0	0	4
Leilehua-Mililani-Waialua	2	0	0	0	0	2
Nanakuli-Waianae	2	1	0	0	0	3
Pearl City-Waipahu	0	3	0	0	1	4
Overall Totals	13	36	0	0	3	52

2. Of the total number of complaints reported for each complex area, the number of complaints involving:

- A. A student complainant and a student respondent;**
- B. A student complainant and an employee respondent;**
- C. An employee complainant and an employee respondent; and**
- D. An employee complainant and a student respondent.**

Non-Title IX Sex-Based Complaints

Student Respondent Data¹⁰

There were 311 non-Title IX student-to-student cases and 35 non-Title IX cases involving an employee victim and student respondent. It should be noted that there were three cases where the complainants for the particular situation were both a student(s) and an employee(s). Furthermore, there were 21 cases where it was unclear who the victim was, resulting in the role of the “victim” being unable to be determined.

Table 5 illustrates the data regarding the parties’ statuses for non-Title IX sex-based complaints, where a student was identified as the respondent, further categorized by complex area.

Employee Respondent Data

As stated above, there were 37 non-Title IX complaints where a student was identified as the complainant, and an employee was the identified respondent. The Campbell-Kapolei complex had

¹⁰ For some of the cases concerning student respondents, the role of the “victim” was not inputted. For these cases, the incident summaries were manually reviewed to determine whether the “victim” was another student or an employee. The totals included in Table 5 were based on the manual review.

the most complaints of this type, with six complaints, followed by the Honokaa-Kealakehe-Kohala-Konawaena complex, with five complaints. The Farrington-Kaiser-Kalani and Kapaa-Kauai-Waimea complexes each had four complaints. The Kailua-Kalaheo complex and the Kaimuki-McKinley-Roosevelt complex had zero complaints of this type. The remaining nine complexes ranged from one to three complaints.¹¹

There were 17 non-Title IX complaints where both the complainant and respondent were identified as employees. The Honokaa-Konawaena-Kohala-Konawaena complex had the most complaints of this type, with six complaints. There were six complexes that had zero of these types of complaints¹², while the remaining eight complexes ranged from one to three complaints.¹³

Table 5 illustrates the data regarding the parties’ statuses for non-Title IX sex-based complaints, further categorized by complex area.

Table 5: Non-Title IX Sex Based Cases (Party Status)¹⁴¹⁵

*Note: The totals for both of these columns account for ALL cases inputted in Infinite Campus and include incidents of sexual harassment, gender-based harassment, sexual exploitation, stalking, and sexual assault.

Complex Area	Student v. Student*	Student v. Employee	Employee v. Employee	Employee v. Student*	Total
Aiea-Moanalua-Radford	10	1	0	1	12
Baldwin-Kekaulike-Maui	60	3	2	8	73
Campbell-Kapolei	33	6	3	2	44
Castle-Kahuku	15	2	0	2	19
Farrington-Kaiser-Kalani	24	4	1	1	30
Hana-Lahainaluna-Lanai-Molokai	7	3	0	2	12
Hilo-Waiakea	18	2	0	1	21
Honokaa-Kealakehe-Kohala-Konawaena	17	5	6	1	29

¹¹ These nine complexes were: Aiea-Moanalua-Radford, Leilehua-Mililani-Waialua, Pearl City-Waipahu, Nanakuli-Waianae, Castle-Kahuku, Hilo-Waiakea, Kau-Keaau-Pahoa, Baldwin-Kekaulike-Maui, and Hana-Lahainaluna-Lanai-Molokai.

¹² The six complexes were: Aiea-Moanalua-Radford, Castle-Kahuku, Hana-Lahainaluna-Lanai-Molokai, Hilo-Waiakea, Kailua-Kalaheo, and Kapaa-Kauai-Waimea.

¹³ These eight complexes were: Farrington-Kaiser-Kalani, Kaimuki-McKinley-Roosevelt, Leilehua-Mililani-Waialua, Campbell-Kapolei, Pearl City-Waipahu, Nanakuli-Waianae, Kau-Keaau-Pahoa, and Baldwin-Kekaulike-Maui.

¹⁴ Not all cases inputted into Infinite Campus indicated the role of the “victim.” For those cases, a manual review of the incident summary was conducted to determine the role of the “victim.” Upon this review, there were 21 cases where the role of the “victim” could not be determined. e.g., the conduct was not directed towards a specific individual(s).

¹⁵ The following complexes had cases where the role of the “victim” could not be determined: Aiea-Moanalua-Radford (1 case), Baldwin-Kekaulike-Maui (6 cases), Castle-Kahuku (2 cases), Farrington-Kaiser-Kalani (1 case), Hana-Lahainaluna-Lanai-Molokai (1 case), Honokaa-Kealakehe-Kohala-Konawaena (1 case), Kaimuki-McKinley-Roosevelt (1 case), Kapaa-Kauai-Waimea (1 case), Kau-Keaau-Pahoa (1 case), Leilehua-Mililani-Waialua (2 cases), Nanakuli-Waianae (1 case), and Pearl City-Waipahu (3 cases).

Complex Area	Student v. Student*	Student v. Employee	Employee v. Employee	Employee v. Student*	Total
Kailua-Kalaheo	10	0	0	0	10
Kaimuki-McKinley-Roosevelt	23	0	1	4	28
Kapaa-Kauai-Waimea	19	4	0	0	23
Kau-Keaau-Pahoa	17	2	1	8	28
Leilehua-Mililani-Waiialua	24	1	1	4	30
Nanakuli-Waianae	9	1	1	1	12
Pearl City-Waipahu	25	3	1	0	29
Overall Totals	311	37	17	35	400

Title IX Sex-Based Complaints

Of the 52 Title IX complaints received, 43 of the complaints involved situations where both the complainant and the respondent were students. Five complaints concerned situations where a student was the complainant and an employee was the respondent. The remaining complaints concerned a situation where both complainant and respondent were employees. It should be noted that there were several complaints where either parties or the respondent could not be identified, so no investigation was commenced, and the situation was monitored. For two of those complaints, a description of the particular situations indicated that students were involved; therefore, those two situations were counted under the “student v. student” category.

Table 6 illustrates the data regarding the parties’ statuses for Title IX complaints, further categorized by complex area.

Table 6: Title IX (Party Status)

Complex Area	Student v. Student	Student v. Employee	Employee v. Employee	Employee v. Student	Total
Farrington-Kaiser-Kalani	1	0	0	0	1
Kaimuki-McKinley-Roosevelt	5	0	0	0	6 ¹⁶
Aiea-Moanalua-Radford	2	0	0	0	2

¹⁶ The status for a respondent in one of the complaints was “unknown” (the identified complainant was a student).

Complex Area	Student v. Student	Student v. Employee	Employee v. Employee	Employee v. Student	Total
Leilehua-Mililani-Waialua	2 ¹⁷	0	0	0	2
Campbell-Kapolei	12	0	0	0	12
Pearl City-Waipahu	3 ¹⁸	0	0	0	4 ¹⁹
Nanakuli-Waianae	2 ²⁰	1	0	0	3
Castle-Kahuku	2	0	0	0	2
Kailua-Kalaheo	0	0	0	0	0
Hilo-Waiakea	0	2	0	0	2
Kau-Keaau-Pahoa	4	0	0	0	4
Honokaa-Kealakehe-Kohala-Konawaena	2	0	1	0	3
Baldwin-Kekaulike-Maui	5	1	0	0	7 ²¹
Hana-Lahainaluna-Lanai-Molokai	0	0	0	0	0
Kapaa-Kauai-Waimea	3	1	0	0	4
Overall Totals	43	5	1	0	52

3. Of the total number of complaints for each complex area, the number of complaints in which:

- A. An investigation was commenced, but a decision has not yet been rendered;**
- B. An investigation was completed, a decision was rendered; and**
- C. A party has filed an appeal, and the appeal is pending.**

¹⁷ For one complaint, the identities of both the complainant and respondent are unknown, however, based on the situation, it was determined that only students were involved.

¹⁸ The status for a respondent in one of the complainants was “unknown,” however, the complainant indicated that the respondent was another student (the identified complainant was a student).

¹⁹ The status for a respondent in one of the complaints was “unknown” (the identified complainant was a student).

²⁰ For one complaint, the identities of both the complainant and respondent are unknown, however, based on the situation, it was determined that only students are involved.

²¹ The status for a respondent in one of the complaints was “unknown” (the identified complainant was a student).

Non-Title IX Sex-Based Complaints

Student Respondent Data

As previously stated, there were 364 cases inputted into Infinite Campus during the 2021-2022 SY. A decision was rendered for 353 of the cases. There were 11 cases where the information in Infinite Campus indicated that the investigation was still in progress. The data indicated that no appeals were submitted for any of the cases.

Table 7 illustrates the data of non-Title IX sex-based complaints for student respondents, further categorized by complex area.

Table 7: Non-Title IX Sex-Based Cases (Student Respondents)

Complex Area	Investigation Commenced, Decision NOT Rendered	Investigation Completed, Decision Rendered	Appeal Submitted and Pending	Totals
Aiea-Moanalua-Radford	0	12	0	12
Baldwin-Kekaulike-Maui	1	72	0	73
Campbell-Kapolei	2	33	0	35
Castle-Kahuku	1	18	0	19
Farrington-Kaiser-Kalani	2	24	0	26
Hana-Lahainaluna-Lanai-Molokai	0	10	0	10
Hilo-Waiakea	0	19	0	19
Honokaa-Kealakehe-Kohala-Konawaena	0	19	0	19
Kailua-Kalaheo	0	10	0	10
Kaimuki-McKinley-Roosevelt	2	26	0	28
Kapaa-Kauai-Waimea	0	20	0	20
Kau-Keaau-Pahoa	0	25	0	25
Leilehua-Mililani-Waialua	2	27	0	29
Nanakuli-Waianae	0	11	0	11
Pearl City-Waipahu	1	27	0	28
Overall Totals	11	353	0	364

Employee Respondent Data

Of the combined 54 complaints where an employee was the identified respondent, 46 complaints were still in the investigation portion of the process. There were eight complaints where a decision was rendered. No requests for appeals were submitted.

Table 8 illustrates the data for the non-Title IX sex-based complaints, further categorized by complex area.

Table 8: Non-Title IX Sex-Based Complaints (Employee Respondents) (Grievance Process Status)

Complex Area	Investigation Commenced, Decision NOT Rendered	Investigation Completed, Decision Rendered	Appeal Submitted and Pending	Combined 305-10 and 900-1 Totals
Aiea-Moanalua-Radford	1	0	0	1
Baldwin-Kekaulike-Maui	2	3	0	5
Campbell-Kapolei	7	2	0	9
Castle-Kahuku	0	2	0	2
Farrington-Kaiser-Kalani	5	0	0	5
Hana-Lahainaluna-Lanai-Molokai	3	0	0	3
Hilo-Waiakea	2	0	0	2
Honokaa-Kealakehe-Kohala-Konawaena	11	0	0	11
Kailua-Kalaheo	0	0	0	0
Kaimuki-McKinley-Roosevelt	1	0	0	1
Kapaa-Kauai-Waimea	4	0	0	4
Kau-Keaau-Pahoa	2	1	0	3
Leilehua-Mililani-Waiialua	2	0	0	2
Nanakuli-Waianae	2	0	0	2
Pearl City-Waipahu	4	0	0	4
Overall Totals	46	8	0	54

Title IX Sex-Based Complaints

Of the 52 Title IX complaints, 22 are still in progress and are either in the investigation or decision-making portion of the Title IX grievance process. Four complaints are considered “complete,” where a final determination was rendered and either no request for an appeal was submitted or where an appeal was submitted, the appeal was completed. The remaining cases were either dismissed for various reasons, or complainants declined to submit a formal complaint, and such a request was honored.

Table 9 illustrates the data for Title IX complaints, further categorized by complex areas.

Table 9: Title IX (Grievance Process Status)

Complex Area	Investigation Commenced, Decision NOT Rendered	Investigation Completed, Decision Rendered	Appeal Submitted and Pending	Total
Farrington-Kaiser-Kalani	1	0	0	1
Kaimuki-McKinley-Roosevelt	4 ²²	0	0	6 ²³
Aiea-Moanalua-Radford	1 ²⁴	1	0	2
Leilehua-Mililani-Waiialua	0	0	0	2 ²⁵
Campbell-Kapolei	6 ²⁶	0	0	12 ²⁷
Pearl City-Waipahu	0	0	0	4 ²⁸
Nanakuli-Waianae	1	1	0	3 ²⁹
Castle-Kahuku	2 ³⁰	0	0	2
Kailua-Kalaheo	0	0	0	0
Hilo-Waiakea	0	2	0	2

²² Includes one complaint that is in the decision-making portion of the Title IX grievance process, but where a determination has not yet been made.

²³ One complaint was dismissed for purposes of Title IX. For one complaint, parents and student declined to submit a formal complaint.

²⁴ This case is in the decision-making portion of the Title IX grievance process, but where a determination has not yet been made.

²⁵ One case was dismissed for purposes of Title IX but reassigned to another applicable process. The second case had no identified parties (both complainant and respondent).

²⁶ These cases are all in the decision-making portion of Title IX, but where a determination has not yet been made.

²⁷ Two cases were dismissed for purposes of Title IX, but reassigned to another applicable process. For four of the cases, the parents/student declined to submit a formal complaint.

²⁸ One of these cases were dismissed for purposes of Title IX. For two of the reports, parents/student declined to submit a formal complaint. For the remaining report, the identity of respondent was unknown.

²⁹ The parties are unknown for one of the reports.

³⁰ Both of these cases are in the decision-making portion of the Title IX grievance process, but where a determination has not yet been made.

Complex Area	Investigation Commenced, Decision NOT Rendered	Investigation Completed, Decision Rendered	Appeal Submitted and Pending	Total
Kau-Keaau-Pahoa	3 ³¹	0	0	4 ³²
Honokaa-Kealakehe-Kohala-Konawaena	2 ³³	0	0	3 ³⁴
Baldwin-Kekaulike-Maui	1 ³⁵	0	0	7 ³⁶
Hana-Lahainaluna-Lanai-Molokai	0	0	0	0
Kapaa-Kauai-Waimea	1	0	0	4 ³⁷
Overall Totals	22	4	0	52

4. The percentage of teachers, counselors, principals, and vice-principals, disaggregated by complex area, who have completed a training course on the Department’s Title IX policies and procedures and on any other policies and procedures adopted by the Department in accordance with this chapter.

During School Year 2021-2022, the Baldwin-Kekaulike-Maui (BKM) administrators were trained on the Department’s Interim Grievance Procedures for Sexual Harassment over a series of five sessions. Each session was approximately two hours in length. Attendees for each session included a mixture of principals, vice principals, and District Education Officers. The total number of BKM administrators that were trained was 60.

No other Department administrators were trained during this timeframe. Teachers and counselors were also not provided training this past school year.

Table 10 illustrates the training dates and participation numbers for the training that was held for the Baldwin-Kekaulike-Maui complex.

³¹ Includes one case that is in the decision-making portion of the Title IX grievance process, but where a determination has not yet been made.

³² For one of these reports, the parent/legal guardian declined to submit a formal complaint.

³³ Includes one case in the decision-making portion of the Title IX grievance process, but where a determination has not yet been made.

³⁴ One case was dismissed for purposes of Title IX, but reassigned to other applicable processes.

³⁵ This case is in the decision-making portion of the Title IX grievance process, but where a determination has not yet been made.

³⁶ Four of the cases were dismissed for purposes of Title IX, however only three were reassigned to other applicable processes, as the respondent in the fourth case relocated out-of-state. For one of the reports, the parents/student declined to submit a formal complaint. For one of the reports, the respondent was “unknown,” and could not be identified.

³⁷ For three of the reports, parents/students declined to submit a formal complaint.

Table 10: Training – Participation Numbers

Baldwin-Kekaulike-Maui Complex	
Date	Total
October 12, 2021	13
October 28, 2021, Morning Session	15
October 28, 2021, Mid-Day Session	12
October 28, 2021, Afternoon Session	13
November 7, 2021	7
Overall Total	60

The CRCB is currently in the Request for Proposal (RFP) process in regards to procuring the services of providing employees training on Title IX and sexual harassment. The target audience for the training will be Department administrators, teachers, counselors, and charter school employees.