



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Higher Education
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By
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SB 2311 – RELATING TO CAMPUS SAFETY

Chair Kim, Vice Chair Kidani, and members of the committee:

Thank you for the opportunity to present testimony on SB 2311 – Relating to Campus Safety. The University of Hawai'i ("University") appreciates the intent of this bill, and thanks the legislature for its continuing focus on sexual and domestic violence and its effects on college campuses. In reviewing the measure, however, the University respectfully provides the following comments to highlight that it is already performing the requirements of the bill in a more cost effective and tailored fashion.

The University is already engaged in implementing many of the initiatives set forth in the measure. Through its own Office of Institutional Equity, the University currently provides, and is further developing, a curriculum of trauma-informed training to employees involved in investigating incidents or assisting victims of the various forms of gender violence discussed here. This training is supplemented by contractual partnerships with expert third parties in the fields of Title IX and gender violence in higher education, such as ATIXA. Currently, on a biannual basis, the University provides all students and employees with a comprehensive guide of resources and information on support services and reporting options following incidents of gender violence, their rights and responsibilities under Title IX, select statistics and background information on stalking, domestic and dating violence, sexual assault, and sexual harassment, and bystander prevention tips for addressing this behavior. The prescriptive nature of the measure imposes more costly requirements without additional benefit. The University is already fulfilling many of the specific mandates of SB2311 pertaining to training and the availability of support services and, therefore, this measure is unnecessary.

In 2016, under Act 208, the Legislature mandated each campus to provide a "confidential advocate" to confidentially discuss matters relating to sexual harassment, sexual assault, domestic violence, and stalking. The proposed measure requires the designation of a "confidential resource advisor," which appears to duplicate the role already described as a "confidential advocate." Additionally, many of the duties set forth in the bill overlap with existing duties of Title IX coordinators. To avoid confusion and inefficient use of funds, the University respectfully requests that the committee eliminate the requirement to provide a "confidential resource advisor" from the measure. Alternatively, the intent of the act may be better fulfilled through the appropriation of funding and other resources to support existing Title IX infrastructure and confidential advocates throughout the University, all of which already provide resources and services to the University community.

While the University recognizes that community victim services providers are valuable and has contracted with them to provide advocacy services to the University, the University respectfully requests that it be allowed to continue its process for developing and procuring training. Victim

service providers are not subject matter experts on Title IX, VAWA and the Clery Act. Furthermore, because of the victim service provider's role in advocating for and/or supporting a particular client in a specialized context, their expertise may not be suited for training University employees who serve impartial, investigatory roles and may compromise the University's efforts to provide an impartial investigation. As such, the University respectfully requests that the requirement to enter into and maintain a memorandum of understanding with a victim services provider to provide training be eliminated.

Thank you for the opportunity to submit testimony on SB 2311.