

## MINUTES

Hawai`i Civil Rights Commission Office  
February 21, 2020  
1:00 p.m.

Present: Liann Ebesugawa, William Puette, Jon Matsuoka, and Joan Lewis,  
Commissioners; Robin Wurtzel, Bill Hoshijo, and Marcus Kawatachi. Staff.

Chair Liann Ebesugawa called the meeting to order.

### **Approval of Minutes**

**The Commissioners reviewed the draft minutes of the January 24, 2020, meeting, continued to January 31, 2020. The minutes were approved.**

Commissioner Joan Lewis joined the meeting.

### **Executive Director's Report**

Deputy Executive Director (DED) Marcus Kawatachi presented a FY 2020 HCRC Mediation Program year-to-date summary.

#### **Summary & Details (7/1/19 through 2/21/20)**

Referrals 18+2= 20

Dispositions: 17+1= 18

Settlements: 9+1= 10

Non-agreements: 8+0= 8

Settlement Rate: 55.6 %

Employment cases settled: 8

Housing cases settled: 2

Dual-filed (EEOC/HCRC and HUD/HCRC) settlements: 8

State-only settlements:

2

**Primary Bases for Complaints Settled in Mediation**

Disability	4
Retaliation	3
Age	1
Ancestry	1
Marital Status	1

**Dispositions by Mediation Center**

Mediation Center of the Pacific	5/7	(settlement rate 66.7%)
Mediation Services of Maui	0/1	(settlement rate 0%)
Private Mediators	2/2	(settlement rate 100%)
Ku‘ikahi Mediation Services (Hilo)		
West Hawaii Mediation Center	1/1	(settlement rate 100%)
Kauai Economic Opportunity, Inc.		
Hawai‘i Civil Rights Commission	2/7	(settlement rate 66.7%)

**OVERALL 10/18 (settlement rate 55.6%)**

DED Kawatachi presented a data and production report showing caseload data through February 21, 2020.

As of February 21, 2020, the written report showed 311 open cases, a decrease of 21 cases from the number reported as of January 23, 2020.

Of the 311 open investigation cases, 1 (0.3%) was filed in 2016, 11 (3.5%) in 2017, 78 (25.1%) in 2018, 201 (64.6%) in 2019, and 20 (6.4%) in 2020.

DED Kawatachi reported a breakdown of the status of the open cases by type of case and investigation stage.

	2016	2017	2018	2019	2020	Total
Housing Cases	0	1	4	22	6	33
Response Monitoring	0	2	29	128	13	172
Mediation	0	0	0	17	1	8
Pending Assignment	0	3	32	19	0	54
Active Investigation	1	5	13	15	0	34
<b>TOTAL</b>	1	11	78	201	20	311

The report indicated no new subpoena enforcement litigation.

The report covered the year-to-date data for the past five fiscal years:

<b>Category</b>	<b>7/1/15 – 2/21/16</b>	<b>7/1/16 – 2/21/17</b>	<b>7/1/17 – 2/21/18</b>	<b>7/1/18 – 2/21/19</b>	<b>7/1/19 – 2/21/20</b>
PCQ Received	442	413	378	402	382
Intake Decision	478	418	351	332	444
Complaint Filed	272	237	174	189	185
Investigation Closed	295	283	175	196	148
Notice of Cause	13	10	23	7	5
Enforcement Closure	16	9	13	13	3

### **Request for Extension of Time to Investigate**

Executive Director (ED) Bill Hoshijo requested an extension of time to investigate all cases from March 31, 2020, through March 31, 2020.

**The Commission approved the request for extension of time to investigate all cases, from March 31, 2019, through March 31, 2021.**

### **Chief Counsel's Report**

Chief Counsel (CC) Robin Wurtzel reported that in settlement of the action to enforce the final decision in *Boyd vs. Primack*, Defendant Primack agreed to pay \$100,000 in 45 days, due March 13, 2020.

### **2020 Legislation**

**CC Wurtzel and ED Hoshijo reviewed the comments offered by the HCRC at hearing on SB 62, SD1, before the Senate Committees on Technology and Government Operations. The SD1 requires the Legislature, state departments, and boards and commissions to livestream its public hearings and develop procedures for receiving remote testimony. The HCRC offered comments only on the SD1, based on testimony offered by the HCRC on similar bills in recent past sessions. The Commission affirmed the comments-only submission of the HCRC on the bill.**

The Commissioners reviewed Legislative Summary 2.

(Strikethrough font indicates bills that were dead.)

### **CIVIL RIGHTS COMMISSION**

**SB 2244      Relating to Civil Rights**

**HB 2420**

**Amends § 368-1.5 to include state agencies which receive federal funds**

Amends HRS §368-1.5 to clarify legislative intent. Clarifies the meaning of "program or activity receiving state financial assistance". Excludes cases within the scope of the Individuals with Disabilities Education Act (IDEA) from the jurisdiction of the HCRC.

**Status:** SB 2244 ref to CPH (1-29-20 passed unamended), JDC

HB 2420 ref to HSH (2-5-20 passed HD 1 with defective date), JUD

**Discussion:** The statute prohibits discrimination based on disability by state agencies, or programs and activities receiving state financial assistance. This bill amends the statute to clarify that agency and programs which receive state assistance includes programs which also receive federal assistance. Passage would return our statute to its pre-*Matter of LE* reading, giving HCRC jurisdiction over all state agencies and programs receiving state financial assistance, regardless of whether they also receive federal funds.

**HCRC Position: Strong Support.**

## **EMPLOYMENT**

**SB 2010      Relating to the Uniform Employee and Student Online Privacy Act**

**HB 1904**

Adopts uniform laws regarding protection of online accounts of employees, interns, applicants, students and prospective students from employers and educational institutions

**Status:** HB 1904 ref to: LAB (1-28-2020 passed HD 1 defective date), LHE (2-12-20 passed unamended), **JUD**

SB 2010 ref to: HRE (1-30-20 passed unamended), CPH/JDC (2-21-20 passed with technical amendments and requested amendment of HCRC)

**Discussion:** HCRC previously testified in support on similar bills in 2018 and 2019 (SB 2010, HB 6, L 2019; SB 2233, HB 2289, L 2018). This version addresses the concerns we raised last year, including an exception for employers to investigate discrimination cases.

**HCRC Position: Support.**

**HB 1701      Relating to Equal Pay**

**SB 2253**

Conforms statutory prohibitions against wage discrimination with other prohibitions on employment discrimination, adding all protected categories – not just sex. Clarifies allowable justifications for compensation differentials and remedies for pay disparity. Requires employers to disclose wage ranges to employees and prospective employees.

**Status:** HB 1701 Ref to: LAB (1-28-2020 passed HD 1 defective date), JUD (2-11 & 2-12 passed unamended), FIN (2-20 passed unamended)

SB 2253 ref to: LCA (passed SD 1 with defective date), **JDC**

**Discussion:** HCRC supports equal pay. In 2019 the HCRC supported a similar bill, include support the addition of “substantially similar work” instead of “equal work,” which is a current trend in equal pay statutes.

**HCRC Position: Support.**

## **HB-2053 Relating to Civil Rights**

### **SB 2312**

Prohibits discrimination against any individual in selection, termination, terms, or conditions of an internship or training program because of the individual's race, sex including gender identity or expression, sexual orientation, age, religion, color, ancestry, disability, marital status, arrest and court record, or reproductive health decision

**Status:** ~~HB 2053 ref to: LAB, JUD, FIN~~

SB 2312 ref to: LCA (passed SD 1 amending page 1, line 17: apprenticeship” becomes “job”), JDC

**Discussion:** This bill adds needed protection for interns and apprentices who are already vulnerable. Many need to work to obtain experience or credentials and may be inexperienced in the workplace. Currently, interns are not protected from discrimination, including sexual harassment, unless they can be viewed as employees.

**Position: Strong Support.**

## **HB 2054 Relating to Employment Practices**

### **SB 2313**

Prohibits written nondisclosure agreements involving sexual assault and sexual harassment as part of an employee's conditions of employment. Prohibits employers from retaliating against an employee for disclosing or discussing sexual harassment or sexual assault.

**Status:** HB 2054 ref to: LAB (1-28-2020 passed HD 1 defective date), JUD (2-11 & 12 passed unamended), FIN (2-20 passed unamended)

SB 2313 ref to: LCA (1-30-20 SD 1, amend to put it in Chapter 378, Part1), JDC (2-21-2020

**Discussion:** The Women’s Legislative Caucus introduced these bills in 2019 (HB 488, SB 1041, L 2019), as well. These bills prohibit NDAs as a condition of employment. It is unclear whether this bill voids the allowed confidentiality clauses in settlements in the 2 bills discussed below (HB 2063 & HB 2314).

**HCRC Position: Support.**

**HB 2054, H.D. 1      Relating to Employment Practices**  
**SB 2313, S.D. 1**

Prohibits written nondisclosure agreements involving sexual assault and sexual harassment as part of an employee's conditions of employment. Prohibits employers from retaliating against an employee for disclosing or discussing sexual harassment or sexual assault.

**Status:** HB 2054 ref to: LAB (1-28-2020 passed HD 1 defective date), JUD (2-11 & 12 passed unamended), FIN (2-20 passed unamended)

SB 2313 ref to: LCA (1-30-20 SD 1, amend to put it in Chapter 378, Part1), JDC (2-21-2020

**Discussion.** The Women's Legislative Caucus introduced similar bills in 2019 (HB 488, SB 1041, L 2019). These bills prohibit NDAs as a condition of employment. Note that the bill may need to be reconciled with the permitted confidentiality clauses in settlements in the 2 bills below.

**Position: Support.**

**HB 1782      Relating to Employment Discrimination**  
**SB 2193**

Limits the convictions that may be used in employment decisions from all convictions in the most recent ten years to felony convictions that occurred in the most recent five years and misdemeanor convictions that occurred in the most recent three years.

**Status:** HB 1782 ref to LAB (2-11-20 passed with length of time blank), **JUD**  
SB 2193 ref to: LCA (1-30-20 passed unamended), **JDC**

**Discussion:** The current statute prohibits employers from considering, or inquiring into, convictions within the last 10 years. This bill makes the "look back" period shorter. This is a policy decision by the legislature. Historically, the limitation on this protected basis was a compromise by the legislature.

**HCRC Position: Support, and in testimony address the importance of the arrest & court record protected basis.**

**HB 2057      Relating to Proof of Domestic or Sexual Violence Victim Status**  
**SB 2306**

Makes consistent the types of documents accepted as proof of domestic or sexual violence victim status under several HRS chapters.

**Status:** HB 2057 ref to HSH 1-29-2020 passed HD 1), **JUD**  
SB 2306 ref to: JDC (1-30-20, rescheduled for 2-6-2020 passed unamended)

**Discussion:** This bill appears to be a housekeeping measure to make all statutes on this subject consistent. Amends §378-2 to list the records an employer may request to verify status. The proposed bill keeps all the same categories and amends several HRS chapters to conform them.

**HCRC Position: Support.**

### **HB 2123      Relating to Sexual Harassment**

#### **~~SB 3092~~**

Requires employers that employ 50 or more employees to file regular electronic reports with the Hawaii Civil Rights Commission (HCRC) on legal settlements regarding sexual harassment. Requires HCRC to publish and make accessible to the public on the commission's website quantitative information about such legal settlements.

**Status:** HB 2123 ref to: JUD (2-12-20 passed HD 1 removing the electronic requirement, and requiring that HCRC publish annual report), **FIN**  
~~SB 3092 ref to: LCA; JDC~~

**Discussion:** Staff recommended comment regarding concerns: The bill poses logistical issues for HCRC. The HCRC does not have a portal for electronic submissions, and the bill would require appropriations for a tech person and software. The HCRC has questions regarding the basis of the reporting period of 5 years, and enforcement for failure to report.

**HCRC Position: No position, but offer comment, per staff recommendation.**

### **~~SB 2785                      Relating to Employment~~**

#### **~~HB 2469~~**

~~Clarifies that Hawaii's anti-discrimination law does not prohibit or prevent an employer, employment agency, or labor organization from refusing to hire or refer or from discharging an individual for reasons unrelated to unlawful discriminatory practices.~~

**Status:** ~~SB 2785 ref. to: not referred yet~~

~~HB 2469 ref to: not referred yet~~

~~**Discussion:** The Chamber of Commerce proposed a similar bill each year starting in 2016 to legislatively reverse the Supreme Court's decision in *Adams v. CDM Media USA, Inc.*, 135 Haw. 1 (2015). HCRC has opposed the bills each year.~~

~~The bill seemingly amends the meaning of "legitimate, non-discriminatory reason" for termination of an employee. The result is to overturn the current standard that an employer's proffered reason for an action be both legitimate and nondiscriminatory. It may also create an affirmative defense for employers, by allowing them to show any reason for an adverse action that is not based on a prohibited base, regardless of circumstantial evidence of discriminatory intent.~~

~~**HCRC Position: Oppose.**~~

**SB 2543      Relating to Medical Cannabis**

Prohibits an employer from discriminating against a person in hiring, termination, or condition of employment based on the person's status as a medical cannabis cardholder, under certain conditions. Specifies that an employer may use a fit for duty test as a tool for medical cannabis users in potentially dangerous occupations.

**Status:** ref. to: LCA (1-30-20 hearing, decision making 2-11-20 passed SD 1), CPH/JDC (2-21-2020 passed with amendments that would exempt certain occupations, following legislation in 16 other states. Exemp occupations include police, corrections officer, firefighters, medical professionals, EMTs, professionals working with children, civil defense professionals, anyone authorized to use a weapon at work)

**Discussion:** The HCRC has supported similar legislation in the past. This bill places jurisdiction in HRS Chapter 329, within the statute governing the DOH's administration of the medical cannabis program. This is appropriate because their definition of "debilitating medical condition differs from the statutory definition of disability. So not every person with a medical cannabis card is entitled to a reasonable accommodation for disability.

**HCRC Position: Support intent.**

~~**SB 2321      Relating to Civil Rights**~~

~~Requires every employer to post and keep posted notice, to be prepared and prescribed by the civil rights commission, of state fair employment laws~~

~~**Status:** SB 2321 ref to LCA, JDC~~

~~**Discussion:** This is straightforward and the HCRC can easily comply. The HCRC supports the provision of information to employees.~~

~~**HCRC Position:** Support.~~

~~**HB 2469 — Relating to Employment**~~

~~**SB 2785**~~

~~Clarifies that Hawaii's anti-discrimination law does not prohibit or prevent an employer, employment agency, or labor organization from refusing to hire or refer or from discharging an individual for reasons unrelated to unlawful discriminatory practices.~~

~~**Status:** SB 2785 ref. to: LCA, JDC~~

~~HB 2469 ref to: LAB (2-11-20 deferred), JUD~~

~~**Discussion:** The Chamber of Commerce proposed a similar bill each year starting in 2016 to legislatively reverse the Supreme Court's decision in *Adams v. CDM Media USA, Inc.*, 135 Haw. 1 (2015). HCRC has opposed the bills each year.~~

~~The bill seemingly amends the meaning of "legitimate, non-discriminatory reason" for termination of an employee. The result is to overturn the current standard that an employer's proffered reason for an action be both legitimate and nondiscriminatory. It may also create an affirmative defense for employers, by allowing them to show any reason for an adverse action that is not based on a prohibited base, regardless of circumstantial evidence of discriminatory intent.~~

~~**Position:** Oppose.~~

~~**HB 2063 — Relating to Sexual Harassment**~~

~~**SB 2314**~~

~~Makes unenforceable confidentiality clauses in employment contracts when an act of sexual harassment or sexual assault is claimed. Allows employees to request confidentiality of a settlement. Establishes civil penalties if an employer requests a confidentiality agreement as part of a legal settlement or arbitrator's award concerning a sexual harassment or sexual assault claim. Establishes a twenty-one day time period for an employee to review a voluntary confidentiality agreement, and a seven-day time period to revoke consent after executing the agreement.~~

~~**Status:** HB 2063 ref to: LAB, JUD~~

~~SB 2314 ref to: LCA, JDC~~

~~**Discussion:** The HCRC supports the removal of confidentiality clauses regarding sexual harassment claims, because it would prevent the same harasser from repeated conduct. However, this bill allows confidentiality as part of a legal settlement. Confidential dispositions~~

~~require victims to remain quiet, thus allowing offenders to continue harassing behavior. Recent news stories have reported repeated offenses by individuals protected by multiple confidentiality agreements. The inclusion of confidentiality or nondisclosure provisions in settlement agreements for employment related cases, including sexual harassment and discrimination claims, is standard practice. However, there is growing concern over confidentiality of sexual harassment claims enabling serial harassers. This bill does not address that concern.~~

~~**HCRC Position: Support intent.**~~

## HOUSING

### **SB 2032      Relating to Rental Discrimination**

Prohibits housing discrimination based on participation in a housing assistance program

**Status:** ref. to HOU (1-23-2020 passed unamended), JDC

**Discussion:** The HCRC supported prior versions of this bill (SB 2031 L 2019; HB 25 L. 2015, SB 127 L. 2017; SB 122, L 2019), which prohibited discrimination based on lawful source of income and this bill includes suggestions we have made. Prior bills have attempted to amend the landlord tenant code and Chapter 515. This bill is not under Chapter 515 or the Landlord Tenant Code, and allows for direct civil action in district court. It does require HCRC to produce materials and publicize the prohibition against discrimination.

The majority of people who receive rental assistance are people with disabilities, single female heads of households, families with children, and members of certain minority groups. Therefore, there is a correlation between those that are protected under our fair housing law and those who receive rental assistance.

**HCRC Position: Strong Support.**

### ~~**SB 2200      Relating to Fair Housing Reasonable Accommodation**~~

~~Requires licensed health care providers to make written findings whether a patient or client has a disability and whether the need for an assistance animal or service animal is related to the disability so long as certain circumstances are present. Requires the civil rights commission in consultation with the department of the attorney general to adopt rules and prescribe forms~~

~~**Status:** ref to: CPH/JDC (2-21-2020 deferred indefinitely)~~

~~**Discussion:** This bill will have a chilling effect on people with disabilities. If the goal is to eliminate online referrals, then address that specifically. The current law allows housing~~

~~providers to request medical information, so this is redundant and unnecessary. And will have a chilling effect.~~

~~This bill requires that a health care professional meet with the patient in person or via telehealth and is limiting. It does not seem to allow telephonic consultations.~~

**HCRC Position: Oppose.**

## PUBLIC ACCOMMODATIONS

~~HB 1687 — Relation to Restroom Facilities~~

**SB 3151 Relating to Equal Access to Public Conveniences**

Requires that restrooms and toilet facilities of public amusement facilities constructed, renovated, or installed after 1/1/21 have two female-use toilets for each male-use toilet or urinal

**Status: ~~HB 1687 ref to: JUD, FIN~~**

**SB 3151 ref to: JDC (2-21-2020 passed unamended)**

**Discussion:** This bill is placed within Chapter 489. However, chapter 489's remedies do not allow HCRC to mandate construction. In discussion, there was speculation as to whether the was intended to encourage gender-neutral bathrooms.

**HCRC Position: Offer comments.**

## OTHER

~~SB 2243 — Relating to Legislative Testimony~~

~~HB 2418~~

**SB 62 Relating to Technology**

~~Requires the House and Senate to permit remote testimony, via telephone, at hearings.~~

Requires the Legislature, state departments, and boards and commissions to livestream its public hearings and develop procedures for receiving remote testimony.

**Status: SB 2243 ref to: TEC (deferred the measure), WAM**

~~HB 2418 ref to: LMG, FIN~~

**SB 62, S.D. 1: ref to TEC/GVO (2/11/20 passed SD 2 eliminating requirement for Legislature, but state departments and boards must livestream by 1-1-23); WAM**

**Discussion:** The HCRC supports the rights of people with disabilities and the democratic process.

**HCRC Position: Offer Comments.**

**HB 2037 Relating to the Hawai‘i Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission**

Establishes the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission and the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission Trust Fund

**Status:** ref. to HSH (1-29-2020 passed HD 1 with elimination of trust, added funding), JUD (2-12 & 13-2020 passed HD2 making it an odd number on board), FIN

**Discussion:** This proposal is modeled on the enabling legislation for the Commission on the Status of Women. Though no funding is included, state funding will be sought.

**HCRC Position: Support.**

**SB 2368 Relating to Hawaiian Language**

Designates the month of February as "Olelo Hawai‘i Month" to celebrate and encourage the use of Hawaiian language. Requires all letterheads, documents, symbols, and emblems of the State and other political subdivisions that include Hawaiian words or names to include accurate and appropriate Hawaiian names, spelling, and punctuation. Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. Clarifies that the full text of bills and other official documents are not required to be written in Hawaiian and that misspelled or incorrectly punctuated Hawaiian words and names shall not invalidate the documents or render them unenforceable and no cause of action shall arise accordingly.

**Status:** ref. to HWN/GVO (2-6-2020 HWN deferred the measure until 02-11-20 passed with significant amendments reaffirming Hawaiian as a state language and stating that as the United Nations Declaration on the Rights of Indigenous Peoples provides, and the legislature affirms, that native Hawaiians, as the indigenous people of Hawaii, have the right to revitalize, use, develop, and transmit to future generations their histories, language, oral traditions, philosophies, writing systems, and literatures, and to designate and retain their own names for communities, places, and persons), **WAM**

**Discussion:** Both Hawaiian and English are the official languages of the State (State Constitution, Article XV, § 4), and our State motto is in Hawaiian.

**HCRC Position: Support.**

**HB 1667      Relating to Health**

Designates the month of October as "Disability Awareness Month: Employment, Enrichment, and Inclusion" to annually recognize the immense contributions and achievements of persons with disabilities in the State.

**Status:** ref. to HSH (1-31-20 passed unamended), **JUD**

**Discussion:** Commissioner Lewis shared the example of the reverse job fair at Kapolei High School **in which students with disabilities presented themselves to employers.** If Disability Awareness Month provides more opportunity for the disabled community, in employment, schools and society, and raises public awareness, even a small amount, it will enrich society.

**HCRC Position: Support.**

**HB 2676      Relating to Health Care**

Requires health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for a comprehensive category of reproductive health services, drugs, devices, products, and procedures. Prohibits discrimination in the provision of reproductive health care services. Effective 3/15/2021.

**Status: ref to: HLT (1-30-2020 passed HD 1), CPC (2-13-20 passed HD 2 with HCRC suggested amendments), FIN**

**Discussion:** Serious) concern over giving HCRC jurisdiction over selected violations of HRS chapters 431, 432, 432D, and 346, by incorporating by reference new statutory requirements in those chapters into HRS chapter 489. Chapters 431, 432, and 432D fall under the jurisdiction of the DCCA Insurance Division, and chapter 346 under DHS jurisdiction. Insurance coverage requirements fall squarely within the jurisdiction of the DCCA Insurance Division. They also have the expertise in this area. "Insurance" does not fall within the section 489-2 definition of "public accommodation": " 'Place of public accommodation' means a business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the general public as customers, clients, or visitors."

The Commissioners noted that these covered benefits are important.

**Note:** Act 135, L. 2016, enacted similar non-discrimination requirements prohibiting discrimination on the basis of actual or perceived gender identity in chapters 431, 432, and 432D, but did not make violation of these prohibitions a violation of chapter 489.

**Position:** Support intent, but offer comment.

**~~SB 2528~~ — ~~RELATING TO HEALTH.~~**

~~Requires a retail establishment with an employee restroom to allow a customer suffering from an eligible medical condition to use that restroom during normal business hours, under certain conditions. Exempts a retail establishment and employees from civil liability in allowing a customer to use an employee restroom. Establishes fines.~~

**~~Status: ref. to: CPH, JDC~~**

**~~Discussion:~~** ~~This bill does not affect public accommodation law, HRS chapter 489.~~

**~~HCRC Position: Monitor.~~**

**~~SB 2347~~ — ~~Relating to Public School Facilities~~**

~~Requires public schools to provide at least one gender-neutral bathroom for student use.~~

**~~Status: ref. to HSH, JUD~~**

**~~Discussion:~~** ~~The HCRC supports the rights of LGBTQ+ students, and the provision of alternatives to ensure the safety of transgender youth and youth who may identify as non-binary.~~

**~~HCRC Position: Support.~~**

**~~SB 3056~~ — ~~Relating to State Holidays~~**

~~Establishes June 19 of each year as a state holiday to be known as Juneteenth Day.~~

**~~Status: ref to: LCA, WAM~~**

**~~Discussion:~~** ~~Freedom Day or Juneteenth Independence Day, is an American holiday that commemorates the June 19, 1865, announcement of the abolition of slavery in Texas, and more generally, the emancipation of enslaved African Americans throughout the former Confederate states.~~

**~~Position: Support.~~**

**RESOLUTIONS**

**HCR 15/HR 13      Education; Title IX Corollary; Act 110 Implementation Task Force  
SCR 6**

Convening a task force to address implementation of Hawaii's state law corollary to Title IX in light of anticipated changes to Federal Title IX Regulations.

**Status: Not referred yet**

**Discussion:** The HCRC would prefer to support legislation implementing Chapter 368D - Discrimination in State Educational Programs and Activities. The HCRC views federal law as the floor, not the ceiling, and expected rollbacks should not affect Hawai‘is strong commitment to civil rights.

**HCRC Position: Support.**

**SCR4/ SR3                      Requesting the Disability and Communication Access Board, in collaboration with the Office of Technology Services to Convene a Working Group on Accessible Government Documents.**

**Status:** SCR 4/SR 3 ref to HMS/GVO

**Position: Support.**

**SCR 9/ SR 10                      Requesting Various Appointing Authorities to dedicate themselves to  
HCR 14/ HR 12                      Achieve Gender Parity on State Boards and Commissions and Circuit  
Court**

**Status:** SCR 9/ ref to GVO, JDC

HCR 14/HR 12 ref to: not referred yet

**Position: Support.**

**SCR 16/ SR 17                      Urging the Department of Education to Broaden the Content of the  
HCR 9/ HR 7                      Social Science Curriculum to Include Various Principles of Diversity**

**Status:** Ref to EDU

**Position: Support.**

### **Unfinished Business**

There was no unfinished business to discuss.

### **New Business**

There was no new business to discuss.

### **Announcements**

There were no announcements.

### **Next Meeting**

Chair Ebesugawa suggested that meetings be scheduled for the 3rd Friday of each month, subject to change based on availability and quorum requirement.

The next meeting of the Commission was scheduled for March 20, 2020, at 1:00 p.m., subject to polling and confirmation by the Commissioners.

### **Adjournment.**