



STATE OF HAWAII
DEPARTMENT OF EDUCATION

P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

July 26, 2016

Dear Parents/Legal Guardians:

The State of Hawaii, Department of Education ("Department") strives to create a learning environment conducive to the overall development of the social-emotional health and well-being of all students.

The Department adheres to both federal and state non-discrimination laws, including Title IX of the Educational Amendments of 1972, a federal law which prohibits discrimination based on sex in schools. Further, Board of Education Policy #305.10 prohibits discrimination based on sex, and specifically includes discrimination based on a student's gender identity and expression as being a prohibited practice.

The United States Department of Justice ("DOJ") and the United States Department of Education, Office of Civil Rights ("US DOE OCR") issued joint guidance addressing education supports for transgender students. The DOJ and US DOE OCR made clear that Title IX's prohibition of discrimination based on sex includes discrimination based on a student's gender identity. The federal guidance states that when a school provides sex-segregated activities and facilities, transgender students must be allowed to participate in such activities and access such facilities consistent with their gender identity. The Department will adhere to the federal guidance when addressing issues including, but not limited to, use of preferred names and pronouns, use of sex-segregated facilities, and dress code.

The Department recognizes the importance of validating students' gender identity and expression and understands that at times, school is one of the few safe and supportive spaces a student may have to openly express their gender identity. Students who desire such supports, or any student with privacy concerns, including requests for increased privacy for use of restrooms or locker rooms, should contact their school administrator. Students may also contact the Civil Rights Compliance Office at (808) 586-3322 regarding requests for supports and about any privacy concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read "K. Matayoshi".

Kathryn S. Matayoshi
Superintendent

KSM:lu

c: Stephen Schatz, Deputy Superintendent
Assistant Superintendents
Complex Area Superintendents
Civil Rights Compliance Office