



**STATE OF HAWAII**  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

March 12, 2018

Via email: [mcaballero@acluhawaii.org](mailto:mcaballero@acluhawaii.org)  
and U.S. Mail

Mr. Mateo Caballero  
Legal Director  
American Civil Liberties Union Foundation - Hawaii  
P.O. Box 3410  
Honolulu, HI 96801

Re: February 9, 2018, Letter

Dear Mr. Caballero:

This correspondence acknowledges receipt of the American Civil Liberties Union Foundation - Hawaii (ACLU) letter dated February 9, 2018, related to its allegations of unequal opportunities and access to athletic programs and facilities for female athletes in Hawaii State Department of Education (HIDOE) schools.

The HIDOE is committed to ensuring gender equity for students in our athletic programs and facilities usage. In 2016, the HIDOE commissioned a study to assess our athletic facilities, and based on this report continued to lobby the State Legislature for and ensure funding to invest in the planning, design, and building of athletic facilities extending beyond locker rooms to sports stadiums and sports fields.<sup>1</sup>

---

<sup>1</sup> The 2016 Statewide Athletic Plan referenced in your letter, formally known as the "Statewide Athletic Plan Master Planning and School Assessment Job No. Q61002-12 Master Plan for Athletic Facilities," was commissioned to assess the existing conditions of the high school physical education (PE) and athletic facilities throughout the State. The purpose of this assessment was to provide guidance in maintaining the existing facilities and for new and/or replacement facilities. "Facilities," as used in the Master Plan refers to PE locker rooms, male and female athletic air riflery, tennis courts, weight rooms, a trainer's room, and pool.

### **High Schools with Athletic Locker Rooms**

In the ACLU letter, some high schools were noted as not having “separate athletic locker facilities for girls, even when boys in those same schools do have such access” based on the aforementioned 2016 report. In regards to those schools that were referenced in the ACLU letter, the HIDOE confirms that the following schools listed below do have an athletic locker room for female athletes in the gym:<sup>2</sup>

- Baldwin High
- Campbell High
- Kahuku High & Intermediate
- Maui High
- Mililani High
- Moanalua High
- Radford High
- Waialua High & Intermediate

In addition, the HIDOE would like to share that:

- Hana High & Elementary - A Varsity locker room is accessible to both female and male athletes.
- Konawaena High - PE locker rooms are used by female and male athletes.
- Pearl City High - A locker room for female athletes is provided in addition to the school’s Physical Education (PE) locker room.

### **Hawaii’s Investment in Athletic Facilities**

Since 2004, the State of Hawaii has appropriated \$41,359,094 to the HIDOE for Title IX Gender Equity projects. To date, \$26,982,003 has been expended to complete twenty-two (22) softball fields and improvements.

### **Projects Nearing Completion**

The HIDOE is expanding facilities for female athletes through its construction of a stand-alone locker room for female athletes at Kahuku High & Intermediate (KHIS) and Kalani High (KHS). The new female locker room facilities at KHIS and KHS are slated for completion by Fall of 2018. The total current expenses on these two projects to date is \$13,482,946. Upon completion of these projects, HIDOE will account for these expenses as part of the above referenced total amount of Hawaii’s Investment in Athletic Facilities “expended” to date.

---

<sup>2</sup> There is a high participation of female athletes participating in sports that utilize the gym, such as volleyball and basketball.

### **Upcoming Projects**

Upcoming HIDOE Title IX Gender Equity projects include:

- Waiakea High - Softball field improvement project to start in May 2018.
- Kauai High - Anticipated project start date is during the 2018-2019 school year.
- Waialua High & Intermediate - Locker room for female athletes is in the design phase. Project will start during the 2018-2019 school year.
- In addition to the above mentioned projects, additional Title IX projects will be undertaken subject to legislative funding.

### **Joint Use of Existing Facilities**

The following schools utilize existing facilities on an equitable basis between male and female athletes:

- Kahuku High and Intermediate girls' soccer team uses the Varsity locker room during the winter season.
- Roosevelt High girls' soccer uses the locker room during the winter season and the girls' track team utilizes the locker room during the spring season.
- Waimea High has separate male and female athletic locker rooms, but the school also has a portable football locker room that both male and female athletes utilize. Further, gymnasium locker rooms are shared by both male and females athletes and separate toilet facilities exist. Practices are staggered which avoids interference with the use of the facilities.
- Baldwin High, Mililani High and Radford High have football locker rooms available for use by female athletes during the off-season.

### **Student Voice**

Students' perspectives and aspirations are highly valued in our classrooms, schools, and communities, and influence the design of educational programs, learning experiences, and school structure through student choice practices. HIDOE leaders' decisions are informed by student input.

Recently, the HIDOE proactively spoke to three groups of female athletes at Campbell High about their athletic experience. A meeting will be held this week with Campbell High to address the concerns voiced by the students regarding Title IX issues.

The HIDOE remains committed to ensuring equal access to athletic facilities. Our active plans include annual checks on our school athletics facilities and programs to better anticipate project needs. When funding becomes available, the HIDOE will utilize its priority list to assure that school needs are addressed. As the HIDOE conducts its onsite reviews of athletic facilities, programs, and needs, we are committed to a goal of future state-of-the-art facilities for all athletic programs in Hawaii public schools.

Mr. Mateo Caballero  
March 12, 2018  
Page 4

I appreciate the time you took to meet with me on February 16, 2018, for a meet and greet. As I mentioned in our meeting, I am available to answer any additional question that you may have.

Sincerely,

A handwritten signature in blue ink, appearing to be 'CK', is written over a light blue circular stamp.

Dr. Christina M. Kishimoto  
Superintendent

CMK:sg

c: Holly T. Shikada, Esq., Supervising Deputy Attorney General