
A BILL FOR AN ACT

RELATING TO CAMPUS SAFETY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that preventing gender-
2 based violence and promoting campus safety requires education,
3 accountability, and cultural change. A lack of campus safety
4 can directly affect students' ability to learn, thrive, and feel
5 secure in their environment.

6 The legislature further finds that the university of
7 Hawaii, as an educational institution that receives federal
8 funding, is subject to Title IX of the federal Education
9 Amendments of 1972 and the federal Violence Against Women Act of
10 1994. However, data submitted pursuant to section 368D-4,
11 Hawaii Revised Statutes, which requires annual reporting to the
12 legislature on the number and types of Title IX cases received
13 by the university of Hawaii and other state educational
14 institutions, reveals inconsistent participation in required
15 training and persistent under-reporting of sexual harassment,
16 sexual assault, and gender-based discrimination.



1 The legislature also finds that comprehensive, mandatory
2 training for all students is essential to preventing sexual
3 misconduct and ensuring that survivors know how to seek help.
4 Section 304A-120, Hawaii Revised Statutes, requires training for
5 students and staff of the university of Hawaii regarding sexual
6 misconduct to ensure campus safety and accountability. Such
7 training includes education on the rights and responsibilities
8 established under Title IX of the federal Education Amendments
9 of 1972; the requirements of the Violence Against Women Act of
10 1994; bystander intervention strategies; sexual violence
11 prevention; and the campus and community resources available to
12 support victims and survivors.

13 The legislature additionally finds that strengthening
14 compliance and prevention efforts to ensure that students are
15 adequately protected from escalating incidents of sexual
16 misconduct is a matter of statewide concern. Accordingly, the
17 purpose of this Act is to strengthen compliance and prevention
18 efforts by:

- 19 (1) Requiring every university of Hawaii student to
20 complete training on federal laws and university
21 policies regarding sexual misconduct prior to the



1 completion of initial registration into the university
2 of Hawaii system; and

3 (2) Amending the frequency that training and programming
4 regarding sexual misconduct is provided to university
5 of Hawaii students and employees.

6 SECTION 2. Section 304A-120, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§304A-120 Campus safety and accountability.** (a) The
9 [~~University~~] university of Hawaii shall:

10 (1) Train all [~~University~~] university of Hawaii students
11 enrolled at least part-time and employees, including
12 campus safety and security personnel, Title IX
13 coordinators, confidential advocates, and residential
14 advisors, on:

15 (A) Public Law 92-318, Title IX of the federal
16 Education Amendments of 1972, as amended;

17 (B) The Violence Against Women Act of 1994, as
18 amended; and

19 (C) University of Hawaii executive policies on sexual
20 misconduct;



1 provided that university of Hawaii students, including
2 students transferring into any university of Hawaii
3 campus, shall complete the training required pursuant
4 to this paragraph prior to the completion of initial
5 registration into the university of Hawaii system;

6 (2) Provide all existing [~~University~~] university of Hawaii
7 employees with the training described in paragraph (1)
8 by December 31, 2023, and every two years thereafter;
9 provided that training beginning December 31, 2026,
10 training shall be conducted every _____ years
11 thereafter;

12 (3) Provide all new [~~University~~] university of Hawaii
13 employees with the training described in paragraph (1)
14 no later than [~~thirty~~] _____ days after the date of
15 first employment;

16 (4) Provide all students with the training described in
17 paragraph (1) [~~annually~~] every _____ years;

18 (5) Ensure that any individual who participates in the
19 implementation of the [~~University~~] university of
20 Hawaii's disciplinary process, including confidential
21 advocates; individuals responsible for resolving



1 complaints of reported incidents; and individuals
2 responsible for conducting a meeting, hearing, or
3 other disciplinary proceeding or informal resolution
4 process, has training or experience in handling sexual
5 misconduct complaints and the university's
6 disciplinary process; provided that the training shall
7 include:

8 (A) The effects of trauma, including any
9 neurobiological and physical impact trauma, on a
10 person;

11 (B) Cultural competence training regarding how sexual
12 misconduct may impact individuals differently
13 depending on factors related to an individual's
14 cultural background, including race; color;
15 national origin; ethnicity; religion; economic
16 status; disability; and sex, which includes
17 gender identity, gender expression, sexual
18 orientation, and pregnancy or parenting status;

19 (C) Ways to communicate sensitively and
20 compassionately with a reporting party, including
21 an awareness of responding with consideration of



1 the reporting party's cultural background and
2 providing services to the reporting party or
3 assisting the reporting party in locating
4 services; and

5 (D) Training and information regarding the possible
6 impact of sexual misconduct on individuals having
7 disabilities;

8 (6) At each campus of the [~~University~~] university of
9 Hawaii system, designate a confidential advocate for
10 students to confidentially discuss incidents of, and
11 obtain information on, sexual misconduct and related
12 issues; provided that confidential advocates and
13 communications received by confidential advocates
14 shall not be exempt from any otherwise applicable
15 mandatory reporting requirements for child and
16 vulnerable adult neglect and abuse as provided by
17 chapters 346 and 350;

18 (7) Publicize the name, location, phone number, and
19 electronic mail address of the confidential advocate
20 on the website of each respective campus;



1 (8) Make available to students and employees written and
2 electronic materials and training programs concerning
3 Title IX of the federal Education Amendments of 1972,
4 as amended; the Violence Against Women Act of 1994, as
5 amended; and [~~University~~] university of Hawaii
6 policies concerning sexual misconduct;

7 (9) Inform victims in writing of the right to file a
8 police report with the appropriate county police
9 department for investigation and assist victims in
10 submitting the police report; and

11 (10) With guidance from the office of institutional equity,
12 confidential advocates, prevention educators, local
13 law enforcement, and local sexual and domestic
14 violence advocacy organizations, provide mandatory
15 [~~annual~~] trauma-informed, gender-inclusive, LGBTQ+-
16 inclusive sexual misconduct primary prevention and
17 awareness programming every years for all
18 students enrolled at least part-time and employees of
19 the university; provided that the programming shall
20 include:



- 1 (A) An explanation of consent as it applies to sexual
 - 2 activity and sexual relationships;
 - 3 (B) The effect of drugs and alcohol on an
 - 4 individual's ability to consent;
 - 5 (C) Strategies for bystander and upstander
 - 6 intervention and risk reduction education that
 - 7 include recognition of individual biases and
 - 8 attitudes;
 - 9 (D) Methods to access supportive measures for
 - 10 reporting parties; and
 - 11 (E) Culturally responsive methods to address the
 - 12 unique experiences and challenges faced by
 - 13 individuals based on race; color; national
 - 14 origin; ethnicity; religion; economic status;
 - 15 disability; and sex, which includes gender
 - 16 identity, gender expression, sexual orientation,
 - 17 and pregnancy or parenting status.
- 18 (b) All [~~University~~] university of Hawaii faculty members
- 19 are designated as "responsible employees" under Public Law 92-
- 20 318, Title IX of the federal Education Amendments of 1972, as
- 21 amended, and shall report any violations of [~~University~~]



1 university of Hawaii executive policies regarding sexual
2 misconduct to the Title IX coordinator of the faculty member's
3 campus; provided that any faculty member designated as a
4 confidential advocate pursuant to subsection (a)(6) shall not be
5 a "responsible employee"; provided further that the confidential
6 advocate shall annually provide general statistics to the Title
7 IX coordinator about the number and type of incidents received
8 by the confidential advocate.

9 (c) All [~~University~~] university of Hawaii students and
10 employees shall complete the training required under subsection
11 (a)(1), (a)(2), (a)(3), (a)(4), and (a)(10) or may be subject to
12 fines, sanctions, or other discipline, as deemed appropriate by
13 the [~~University~~] university of Hawaii. The university of Hawaii
14 shall ensure that a university of Hawaii student's registration
15 shall not proceed until completion of the required training
16 under subsection (a)(1) and (a)(10) has been verified by the
17 university's Title IX office.

18 (d) The [~~University~~] university of Hawaii shall not
19 subject a reporting party or witness who asks for an
20 investigation of sexual misconduct to a disciplinary proceeding
21 or sanction for a violation of the university's policy related



1 to drug or alcohol use unless the university determines that the
2 report of sexual misconduct was not made in good faith.

3 (e) If the [University] university of Hawaii's code of
4 conduct prohibits sexual activity or certain forms of sexual
5 activity, including same-gender relationships or sexual
6 activity, the university shall not take disciplinary action
7 against individuals reporting sexual misconduct or non-harassing
8 sexual activity related to the incident or other non-harassing
9 sexual activity discovered during an investigation into the
10 reported incident.

11 (f) The [University] university of Hawaii shall review any
12 disciplinary action taken against a reporting party to determine
13 if there is a link between the disclosed sexual misconduct and
14 the misconduct that led to the reporting party being
15 disciplined.

16 (g) Nothing in this section shall be construed to limit
17 the [University] university of Hawaii's ability to establish an
18 immunity policy for student conduct violations not mentioned in
19 this section.

20 (h) No later than March 31, 2017, and every two years
21 thereafter, the [University] university of Hawaii shall conduct



1 a campus climate survey of all students. The [University]
2 university of Hawaii shall submit a report to the legislature no
3 later than twenty days before the convening of each regular
4 session that includes:

5 (1) A summary of the most recent campus climate survey
6 results;

7 (2) Information on the number of sexual assaults that
8 occurred on a [University] university of Hawaii system
9 campus within the past five years; and

10 (3) Recommendations and efforts to improve campus safety
11 and accountability.

12 (i) The [University] university of Hawaii shall establish
13 policies and procedures to effectuate this section.

14 (j) For purposes of this section:

15 "Reporting party" means a student or employee who reports
16 to the [University] university of Hawaii as having experienced
17 an incident of sexual misconduct.

18 "Sexual harassment" means unwelcome conduct of a sexual
19 nature.

20 "Sexual misconduct" means an incident of sex-based
21 discrimination, sexual harassment, sexual violence, intimate



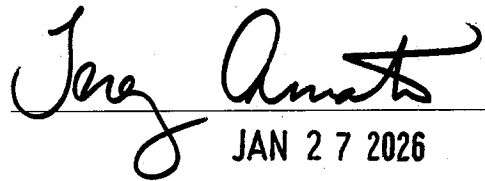
1 partner violence, domestic violence, dating violence, sexual
2 exploitation, or violence based on sexual orientation or gender
3 identity or expression.

4 "Trauma-informed" means an understanding of the
5 complexities of sexual misconduct through training centered on
6 the neurobiological impact of trauma, symptoms of trauma,
7 effective and supportive techniques to address trauma, the
8 influence of societal myths and stereotypes surrounding the
9 causes and impacts of trauma, perpetration methodology, and
10 techniques for conducting an effective investigation."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14
INTRODUCED BY:


JAN 27 2026



H.B. NO. 2441

Report Title:

University of Hawaii; Campus Safety; Title IX; Registration;
Training; Programming

Description:

Requires students of the University of Hawaii, including transfer students, to complete training on federal laws and University policies regarding sexual misconduct prior to the completion of initial registration into the university of Hawaii system. Amends the frequency that training and programming regarding sexual misconduct is provided to university of Hawaii students and employees.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

