

---

# 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



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     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:

Jerry Amato  
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.*

