

---

# A BILL FOR AN ACT

RELATING TO STUDENT MISCONDUCT.

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

1        SECTION 1. The legislature finds that student safety is  
2 fundamental to learning and that incidents of physical violence  
3 in schools undermine student well-being, academic success, and  
4 community trust. The legislature further finds that existing  
5 disciplinary frameworks do not consistently distinguish between  
6 aggressors, facilitators, victims, and bystanders, resulting in  
7 uneven discipline and insufficient data to inform prevention and  
8 intervention efforts.

9        The purpose of this Act is to clarify procedures related to  
10 the reporting of student misconduct involving physical violence  
11 and establish a consistent reporting and data framework to  
12 ensure accountability, transparency, and informed policy  
13 decisions.

14       SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
15 amended by adding a new subpart to part IV to be appropriately  
16 designated and to read as follows:

17                         " . Student Misconduct



1       **§302A-A Definitions.** As used in this subpart, unless the  
2       context otherwise requires:

3            "Facilitator" means a student who knowingly restrains,  
4       holds, blocks, corners, or otherwise prevents another student  
5       from escaping or defending themselves while physical violence is  
6       occurring.

7            "Fighting" means an incident involving physical violence  
8       between students, whether mutual or non-mutual, including  
9       situations in which one or more students initiate, escalate, or  
10      participate in an assault.

11          "Passive bystander" means a student who is present during  
12      an incident of physical violence but does not engage in physical  
13      participation, facilitation, or encouragement of the conduct.

14          "Physical violence" means the intentional use of physical  
15      force by a student against another student that results in or  
16      has the potential to result in physical injury, pain, or  
17      impairment.

18          "Primary aggressor" means a student who initiates or leads  
19      an act of physical violence against another student.



**1** "Secondary aggressor" means a student who joins in, assists  
**2** in, or escalates an act of physical violence initiated by  
**3** another student.

**4** "Victim" means a student against whom physical violence is  
**5** directed and who does not voluntarily participate in the violent  
**6** conduct.

7           **S302A-B Physical violence incidents; report.** (a) Each  
8        public school shall report to the department any incident  
9        involving physical violence, including fighting or facilitation  
10      of physical violence, no later than five school days after the  
11      incident.

**12** (b) Reports required under this section shall include, at  
**13** a minimum:

14 (1) The date and location of the incident;

15 (2) The grade levels involved;

16 (3) The number of students involved;

17 (4) The role of each student involved, including primary aggressor, secondary aggressor, facilitator, victim, or passive bystander;

18

19



## **§302A-C Physical violence incidents; data collection;**

12 **monitoring; analysis.** (a) The department shall collect and  
13 maintain data on incidents reported pursuant to section 302A-B  
14 for the purpose of monitoring trends, identifying areas of  
15 concern, and informing policy, training, and prevention  
16 strategies.

17 (b) The department shall, at a minimum, compile incident  
18 data by:

19 (1) School;  
20 (2) Complex area;  
21 (3) Grade level;



13           **§302A-D Annual report.** (a) No later than December 31 of  
14    each year, the department shall submit a report to the  
15    legislature summarizing data collected pursuant to this subpart.

16 (b) The annual report shall include:

17 (1) The total number of reported physical violence

18 incidents statewide;

19 (2) A breakdown of incidents by school and complex area;

20 (3) The roles of students involved;



8        **§302A-E Rules.** The department shall adopt or amend rules,  
9 policies, and procedures pursuant to chapter 91 necessary to  
10 implement the purposes of this subpart."

11 SECTION 3. In codifying the new sections added by section  
12 2 of this Act, the revisor of statutes shall substitute  
13 appropriate section numbers for the letters used in designating  
14 the new sections in this Act.

**15** SECTION 4. This Act shall take effect upon its approval.

16

INTRODUCED BY:

feuinfgr

JAN 28 2026



# H.B. NO. 2621

**Report Title:**

Department of Education; Student Misconduct; Data Collection; Analysis; Report

**Description:**

Requires public schools to report to the Department of Education any incident involving physical violence. Requires the Department of Education to collect and maintain data on incidents involving physical violence at public schools and make such data publicly available. Requires annual reports to the Legislature.

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

