
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 **§302A-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
18 aggressor, secondary aggressor, facilitator, victim,
19 or passive bystander;



(5) The disciplinary response imposed for each student involved, including whether the discipline was in-school or out-of-school; and

(6) Whether counseling, behavioral intervention, or restorative services were required or provided.

(c) Reports submitted pursuant to this section shall be made publicly available on the department's website; provided that such information shall not include personally identifiable student information and shall comply with all applicable state and federal student privacy laws.

§302A-C Physical violence incidents; data collection; monitoring; analysis. (a) The department shall collect and maintain data on incidents reported pursuant to section 302A-B for the purpose of monitoring trends, identifying areas of concern, and informing policy, training, and prevention strategies.

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

- (1) School;
- (2) Complex area;
- (3) Grade level;



(4) Type of misconduct;

(5) Role classification; and

(6) Type of disciplinary response.

(c) The department shall use the data collected to assess:

(1) The frequency and severity of physical violence incidents;

(2) The use of in-school versus out-of-school suspension;

(3) The prevalence of repeat offenses;

(4) Access to and completion of counseling or behavioral interventions; and

(5) The need for additional resources to protect the safety and security of students.

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

(b) The annual report shall include:

(1) The total number of reported physical violence incidents statewide;

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

(3) The roles of students involved;



- 1 (4) The disciplinary actions imposed, including the
2 proportion of in-school and out-of-school suspensions;
3 (5) Information on repeat incidents; and
4 (6) A summary of prevention and intervention efforts
5 implemented by the department.

6 (c) All reports published pursuant to this section shall
7 be aggregated and anonymized to protect student privacy.

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:



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.

