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# A BILL FOR AN ACT

RELATING TO STUDENT SAFETY.

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

1           SECTION 1. The legislature finds that schools must remain  
2 safe, stable, and supportive environments for all students.  
3 Unplanned law enforcement or immigration enforcement activity on  
4 or near school campuses may cause fear, disruption to learning,  
5 and emotional distress for students and families.

6           The legislature further finds that while public schools  
7 must comply with applicable law, the department of education has  
8 a responsibility to ensure that school personnel are trained,  
9 prepared, and guided by clear protocols that prioritize student  
10 safety, continuity of education, and lawful due process.

11           The purpose of this Act is to require the department of  
12 education to:

13           (1) Develop, adopt, and implement a standardized emergency  
14 response plan governing immigration enforcement  
15 activity at or within one thousand feet of public  
16 schools, including training, communication protocols,  
17 and safeguards for students and families; and



1 (2) Adopt policies and procedures to address immigration  
2 enforcement activity.

3 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
4 amended by adding a new section to be appropriately designated  
5 and to read as follows:

6 "§302A- Immigration enforcement activity; school  
7 emergency response plan. (a) The department shall develop,  
8 adopt, and implement a standardized emergency response plan for  
9 public schools to address immigration enforcement activities  
10 occurring on or within one thousand feet of school campuses  
11 during instructional hours or school-sponsored activities.

12 (b) The emergency response plan required pursuant to this  
13 section shall be designed to:

- 14 (1) Protect student safety and emotional well-being;
- 15 (2) Minimize disruption to the educational environment;
- 16 (3) Ensure compliance with applicable federal and state  
17 law; and
- 18 (4) Provide clear guidance to school administrators and  
19 staff when immigration enforcement activity occurs on  
20 or within one thousand feet of school campuses.



1        (c) The emergency response plan required pursuant to this  
2 section shall include but not be limited to the following  
3 components:

4        (1) Protocols for federal immigration enforcement  
5 presence, including:

6        (A) Procedures for school administrators when  
7 approached by immigration enforcement officials;

8        (B) Requirements that any request to access school  
9 grounds or student records be referred to  
10 designated department legal counsel or  
11 administrators; and

12        (C) Guidance regarding warrants, subpoenas, and  
13 consent, consistent with federal and state law;

14        (2) Student protection measures, including:

15        (A) Procedures to ensure students are not questioned,  
16 detained, or removed from a school campus during  
17 instructional hours or school-sponsored  
18 activities without appropriate legal  
19 authorization;



- 1            (B) Prohibitions on school personnel assisting in
- 2            immigration enforcement activities beyond what is
- 3            legally required by federal and state law; and
- 4            (C) Protocols to keep students supervised and safe at
- 5            all times;
- 6            (3) Parental and guardian communication, including:
- 7            (A) Timely notification procedures for parents or
- 8            legal guardians when immigration enforcement
- 9            activity affects school operations or student
- 10           dismissal, to the extent permitted by law; and
- 11           (B) Multilingual communication protocols where
- 12           practicable;
- 13           (4) Staff training, including:
- 14           (A) Mandatory training for school administrators,
- 15           teachers, and relevant staff on the emergency
- 16           response plan; and
- 17           (B) Training that includes legal guidance, trauma-
- 18           informed practices, and student de-escalation
- 19           strategies;
- 20           (5) Coordination with complex areas and relevant state
- 21           agencies; and



1       (6) Periodic review and updates of the emergency response  
2           plan to reflect changes in law or best practices.

3       (d) Personally identifiable student information shall be  
4       protected in accordance with federal and state privacy laws,  
5       including the Family Educational Rights and Privacy Act of 1974,  
6       as amended.

7       (e) The department shall adopt policies and procedures to  
8       address immigration enforcement activity that may occur:

9           (1) On or within one thousand feet of school campuses;

10          (2) At school-sponsored activities and events; and

11          (3) On school buses and marked or known school bus stops  
12          during periods when school children are present at the  
13          stop.

14          (f) Nothing in this section shall be construed to obstruct  
15       or interfere with lawful law enforcement activity conducted  
16       pursuant to valid legal authority.

17          (g) Nothing in this section shall create a duty for school  
18       personnel to determine a student's immigration status.

19          (h) The department shall submit a report to the  
20       legislature no later than twenty days prior to the convening of  
21       each regular session describing:



- 1        (1) Implementation of the emergency response plan required
- 2                pursuant to this section;
- 3        (2) Training conducted pursuant to the emergency response
- 4                plan; and
- 5        (3) Any other findings and recommendations, including
- 6                proposed legislation.
- 7        (i) The department may adopt rules pursuant to chapter 91
- 8 to implement the purposes of this section."

9        SECTION 3. New statutory material is underscored.

10       SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Department of Education; Public Schools Immigration Enforcement;  
Emergency Response Plan; Immigration Enforcement Activity;  
Policies; Procedures

**Description:**

Requires the Department of Education to develop, adopt, and implement a standardized emergency response plan governing immigration enforcement activity at or within one thousand feet of public schools and adopt policies and procedures to address immigration enforcement activity at certain school-related location and events. Effective 7/1/3000. (HD1)

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

