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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1           SECTION 1. The legislature finds that the right to  
2 education is fundamental to the success of Hawaii's children and  
3 youth. On March 7, 1974, the board of education adopted the  
4 student bill of rights and responsibilities, which outlines the  
5 rights and responsibilities of students as analogous to those of  
6 an adult citizen. A copy of this document is distributed  
7 annually to staff and kept in every school office.

8           The legislature further finds that Hawaii is a place of  
9 diverse cultures, practices, races, and ethnicities. It is  
10 vital for student success in Hawaii's public schools that  
11 historically and culturally accurate educational materials are  
12 available and that individuals of diverse backgrounds and  
13 characteristics are recognized and welcomed.

14           The purpose of this Act is to:

15           (1) Require the department of education to ensure that  
16           accurate and inclusive curricula is available to all  
17           students; and



1 (2) Make it a discriminatory practice to prohibit,  
2 restrict access to, remove, or exclude from curricula  
3 various inclusive materials and topics.

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

7 **"§302A- Inclusive curricula; availability;**  
8 **discriminatory practice; complaints.** (a) Beginning with the  
9 2025-2026 school year, the department shall ensure that accurate  
10 and inclusive curricula are available to all students at public  
11 schools in accordance with age guidelines.

12 (b) It shall be a discriminatory practice to refuse to  
13 approve, remove, or prohibit the use or access of any curricular  
14 materials from a school or public library on the basis that the  
15 materials:

- 16 (1) Address topics related to race; color; ancestry; sex,  
17 including gender identity, gender expression, or  
18 sexual orientation; religion; or disability; or  
19 (2) Are written by individuals who are lesbian, gay,  
20 bisexual, transgender, queer, or are questioning their



1           sexuality, or involve issues concerning these  
2           individuals.

3           (c) The department shall create a process to receive  
4 complaints regarding a school or school complex that is not in  
5 compliance with subsection (a).

6           (d) Any individual claiming to be aggrieved by an alleged  
7 unlawful discriminatory practice under subsection (b) may file a  
8 complaint with the civil rights commission in accordance with  
9 the procedure established under chapter 368.

10          (e) Nothing in this section shall be interpreted to  
11 prevent the department from implementing or using existing age-  
12 appropriate guidelines in effectuating this section.

13          (f) For the purposes of this section, "inclusive  
14 curricula" means curricular materials that accurately portray  
15 the cultural and racial diversity of society. "Inclusive  
16 curricula" includes books and educational materials that:

17          (1) Recognize the contributions of people of all genders  
18           in all types of roles, including professional,  
19           vocational, and executive roles;

20          (2) Collectively address a diversity of cultures, races,  
21           and nationalities; and



# H.B. NO. 2079

1        (3) Reflect the role and contributions of Native  
2        Hawaiians; Native Americans; African Americans; Latino  
3        Americans; Asian Americans; Pacific Islanders;  
4        European American; and other diverse groups."

5        SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:

  
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JAN 19 2024



# H.B. NO. 2078

**Report Title:**

Education; Inclusive Curricular Materials; Public Schools;  
Discriminatory Practices; Complaint

**Description:**

Beginning with the 2025-2026 school year, requires the Department of Education to ensure that inclusive curricula are available to all students at public schools. Makes it a discriminatory practice to refuse to approve, remove, or prohibit the use or access of inclusive or diverse materials in schools and public libraries on the basis of materials featuring or written by LGBTQ+ individuals.

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

