

JAN 19 2012

S.B. NO. 2129

A BILL FOR AN ACT

RELATING TO PAID LEAVE.

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

1 SECTION 1. The federal Individuals with Disabilities
2 Education Act governs how states and public agencies provide
3 early intervention, special education, and related services to
4 children with disabilities. The department of health is the
5 lead agency for the implementation of Part C of Individuals with
6 Disabilities Education Act for the State. The department's
7 early intervention section is responsible for ensuring that
8 Hawaii meets all federal requirements and regulations and
9 providing services to support the development of infants and
10 toddlers with special needs from birth to three years of age.

11 Federal regulations require the scheduling of a Part C
12 Transition Conference for a child when they are between the age
13 of two years three months and two years nine months. This
14 conference is intended to support a smooth transition from
15 Hawaii's early intervention program to the department of
16 education's preschool special education program. Furthermore,
17 the conference serves as an opportunity for the child's family
18 to learn about the range of opportunities that may be available



1 for their child and discuss and share their child's strengths
2 and weaknesses with a care coordinator, community providers, and
3 department of education representatives.

4 The purpose of this Act is to:

5 (1) Allow employees to be eligible for up to two hours of
6 paid leave during normal business hours to attend a
7 transition conference regarding the options available
8 as their child exits the State's early intervention
9 services program; and

10 (2) Define "parent" to include a legal parent, guardian,
11 or any other person acting in the place of a parent.

12 SECTION 2. Section 78-31, Hawaii Revised Statutes, is
13 amended to read as follows:

14 **"§78-31 Paid leave; education of children.** (a) Employees
15 shall be eligible for up to two hours of paid leave during
16 normal business hours to attend ~~[either]~~ a mutually-scheduled:

17 (1) ~~[A mutually-scheduled parent-teacher]~~ Parent-teacher
18 conference for the employee's child attending a public
19 or private school in grades kindergarten through
20 twelve; ~~[or]~~

21 (2) ~~[A mutually-scheduled parent-caregiver]~~ Parent-teacher
22 conference for a preschool-aged child attending a



1 licensed group child care center, as defined under
2 section 346-151; or

3 (3) Transition conference to discuss the range of options
4 available, including eligibility for a public school
5 special education preschool program, to an employee
6 who is the parent of a child who is exiting the
7 State's early intervention services program for
8 infants and toddlers with special needs under section
9 321-352;

10 provided that the time-off shall not be credited against
11 vacation or sick leave benefits, if any; and provided further
12 that the provision of paid leave shall not adversely interfere
13 with the operations of the work unit nor require the applicable
14 agency to incur additional human resources or overtime costs.

15 (b) The employee shall take no more than two mutually-
16 scheduled conferences, per child, in a single calendar year.
17 Travel time shall be included as part of the two hours permitted
18 for each conference.

19 (c) For purposes of this section, "parent" means:

20 (1) A natural or adoptive parent of a child;

21 (2) A guardian;



- 1 (3) A person acting in the place of a parent, including a
2 grandparent or stepparent with whom the child lives;
3 or
4 (4) A person legally responsible for the welfare of a
5 child."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.
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Report Title:

Paid Leave; Parents; Part C IDEA Transition Conference

Description:

Amends paid leave law to allow parents to attend child's Part C IDEA transition conference. Defines parent to include legal parent, guardian, or any other person acting in the place of a parent.

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