



**GOV. MSG. NO. 1116**

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

April 15, 2014

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

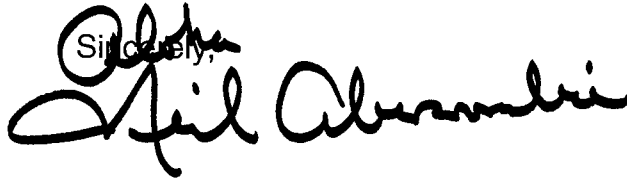
The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 15, 2014, the following bill was signed into law:

SB2136 SD1

RELATING TO EDUCATION  
**ACT 016 (14)**

Sincerely,  


NEIL ABERCROMBIE  
Governor, State of Hawaii

IN WITNESS WHEREOF

RECEIVED  
THE SENATE  
CLERK'S OFFICE  
STATE OF HAWAII

'14 APR 16 P3:53

RECEIVED  
SENATE  
OFFICE OF THE PRESIDENT

'14 APR 16 A9:37

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# A BILL FOR AN ACT

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RELATING TO EDUCATION.

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

1       SECTION 1. Section 302A-101, Hawaii Revised Statutes, is  
2 amended by adding two new definitions to be appropriately  
3 inserted and to read as follows:

4       "Attend" or "attendance" means a student is physically  
5 present in school after enrollment.

6       "Enroll" or "enrollment" means a student has met all of the  
7 department's requirements for entrance and is formally placed on  
8 a school's roll."

9       SECTION 2. Section 302A-1145, Hawaii Revised Statutes, is  
10 amended to read as follows:

11       **"[~~f~~]§302A-1145[~~f~~] Transfer to another school.** No school  
12 shall receive any child under eighteen years of age, who has  
13 attended another school of the same class in the same  
14 [~~district,~~] complex area, unless the child produces to the  
15 school in which to be [~~entered,~~] enrolled, a certificate of  
16 release of the school last attended by the child. If the child  
17 applies to [~~attend~~] enroll in a school of higher grade, a  
18 certificate of proficiency shall be required or a lawful excuse



1 for its absence. The children from one [~~district~~] complex area  
2 desiring to enter a school in another [~~district~~] complex area  
3 may be received or [~~admitted~~] enrolled upon producing a  
4 certificate of release from the school last attended in the  
5 other [~~district.~~] complex area."

6 SECTION 3. Section 302A-1154, Hawaii Revised Statutes, is  
7 amended as follows:

8 1. By amending the title to read:

9 "**\$302A-1154 Immunization upon [~~entering~~] attending school;**  
10 **tuberculosis clearance.**"

11 2. By amending subsection (b) to read:

12 "(b) No child shall [~~be admitted to~~] attend any school for  
13 the first time in the State unless the child presents to the  
14 appropriate school official documentation satisfactory to the  
15 department of health that the child has been examined and tested  
16 according to the rules of the department, and is free from  
17 tuberculosis in a communicable form."

18 SECTION 4. Section 302A-1155, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "**\$302A-1155 Provisional [~~entrance to~~] attendance at**  
21 **school.** (a) A child may [~~enter~~] attend school provisionally  
22 upon submitting written documentation from a licensed physician,



1 physician assistant, advanced practice registered nurse, or an  
2 authorized representative of the department of health stating  
3 that the child is in the process of receiving the required  
4 immunizations. Further documentation showing that the required  
5 immunizations have been completed shall be submitted to the  
6 appropriate school official no later than three months after the  
7 child first ~~[entered]~~ attends the school. If all of the  
8 required immunizations cannot be completed within three months  
9 due to the length of the minimum intervals between doses of a  
10 particular vaccine required by the department of health,  
11 provisional ~~[admission]~~ attendance may be extended so long as  
12 the child's parent or guardian provides documentation that  
13 appointments for required immunizations have been made and that  
14 progress toward completing the immunizations continues in  
15 accordance with the requirements of the department of health.

16 (b) Provisional ~~[entrance-to]~~ attendance at school may be  
17 suspended by the department of health when there is danger of an  
18 epidemic from any of the communicable diseases for which  
19 immunization is required."

20 SECTION 5. Section 302A-1159, Hawaii Revised Statutes, is  
21 amended to read as follows:



1       **"§302A-1159 Physical examination required.** No child shall  
2   ~~[be admitted to]~~ attend any school for the first time in the  
3   State unless the child presents to the appropriate school  
4   official a report from a licensed physician or advanced practice  
5   registered nurse of the results of a physical examination  
6   performed within a year of the date of ~~[entry into]~~ attendance  
7   at school. A child may ~~[enter]~~ attend school provisionally upon  
8   submitting written documentation from a licensed physician,  
9   advanced practice registered nurse, or other authorized  
10   representative of the department of health stating that the  
11   child is in the process of undergoing a physical examination.  
12   Further documentation showing that the required physical  
13   examination has been completed shall be submitted to the  
14   appropriate school official no later than three months after the  
15   child first ~~[entered]~~ attends the school."

16       SECTION 6. Section 302A-1161, Hawaii Revised Statutes, is  
17   amended to read as follows:

18       **"§302A-1161 Notification for noncompliance.** If a child  
19   does not complete the immunizations required under section  
20   302A-1154 or the physical examination required under section  
21   302A-1159 within the period provided by section 302A-1155 after  
22   provisional ~~[entry into]~~ attendance at school, the administrator

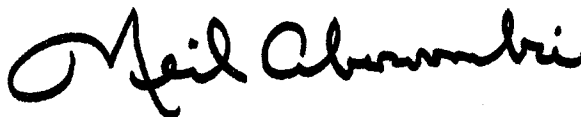


1 of the school shall cause a notice to be sent to the parent or  
2 guardian of the child stating that if the required immunizations  
3 or physical examination is not completed within thirty days of  
4 the date of the notice, the child shall not be [~~admitted~~]  
5 permitted to attend school."

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

8 SECTION 8. This Act shall take effect upon its approval.

APPROVED this 15 day of APR, 2014



GOVERNOR OF THE STATE OF HAWAII