
A BILL FOR AN ACT

RELATING TO KINDERGARTEN.

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

1 SECTION 1. Section 302A-1132, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Unless excluded from school or excepted from
4 attendance, all children who will have arrived at the age of at
5 least ~~[six]~~ five years on or before July 31 of the school year,
6 and who will not have arrived at the age of eighteen years~~[7]~~ by
7 January 1 of any school year, shall attend either a public or
8 private school for, and during, the school year, and any parent,
9 guardian, or other person having the responsibility for, or care
10 of, a child whose attendance at school is obligatory shall send
11 the child to either a public or private school. Attendance at a
12 public or private school shall not be compulsory in the
13 following cases:

- 14 (1) Where the child is physically or mentally unable to
15 attend school (deafness and blindness excepted), of
16 which fact the certificate of a duly licensed
17 physician shall be sufficient evidence;



- 1 (2) Where the child, who has reached the fifteenth
2 anniversary of birth, is suitably employed and has
3 been excused from school attendance by the
4 superintendent or the superintendent's authorized
5 representative, or by a family court judge;
- 6 (3) Where, upon investigation by the family court, it has
7 been shown that for any other reason the child may
8 properly remain away from school;
- 9 (4) Where the child has graduated from high school;
- 10 (5) Where the child is enrolled in an appropriate
11 alternative educational program as approved by the
12 superintendent or the superintendent's authorized
13 representative in accordance with the plans and
14 policies of the department, or notification of intent
15 to home school has been submitted to the principal of
16 the public school that the child would otherwise be
17 required to attend in accordance with department rules
18 adopted to achieve this result; or
- 19 (6) Where:
- 20 (A) The child has attained the age of sixteen years;
- 21 (B) The principal has determined that:



1 (i) The child has engaged in behavior [~~which~~]
2 that is disruptive to other students,
3 teachers, or staff; or

4 (ii) The child's non-attendance is chronic and
5 has become a significant factor that hinders
6 the child's learning; and

7 (C) The principal of the child's school, and the
8 child's teacher or counselor, in consultation
9 with the child and the child's parent, guardian,
10 or other adult having legal responsibility for or
11 care of the child, develops an alternative
12 educational plan for the child. The alternative
13 educational plan shall include a process that
14 shall permit the child to resume school.

15 The principal of the child's school shall file the
16 plan made pursuant to subparagraph (C) with the
17 child's school record. If the adult having legal
18 responsibility for or care of the child disagrees with
19 the plan, then the adult shall be responsible for
20 obtaining appropriate educational services for the
21 child."



SECTION 2. Section 302A-411, Hawaii Revised Statutes, is repealed.

~~["§302A-411 Kindergarten program; establishment; attendance. (a) The department shall establish and maintain kindergartens with a program of instruction as a part of the public school system; provided that:~~

~~(1) Attendance shall not be mandatory; and~~

~~(2) Charter schools shall be excluded from mandatory participation in the program.~~

~~(b) Beginning with the 2014-2015 school year, a child who will be at least five years of age on July 31 of the school year may attend a public school kindergarten.~~

~~(c) The department may accept gifts to establish and maintain kindergartens."]~~

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

SECTION 4. This Act shall take effect on July 1, 2014.

INTRODUCED BY:







H.B. NO. 1487

Report Title:

Kindergarten

Description:

Amends the compulsory education law to make kindergarten mandatory.

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

