
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 education is crucial
2 for a child's development and should be a top priority for the
3 State. The legislature also finds that truancy is a major issue
4 in high schools, and leads to poor student academic performance
5 and lower aspirations for higher education.

6 The legislature finds that increasing the age for
7 compulsory attendance at public or private schools will enable
8 students in the State to receive more education to succeed in
9 life.

10 The purpose of this Act is to increase the age for
11 compulsory attendance at public or private schools from sixteen
12 years of age to eighteen years of age.

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

15 "(a) Unless excluded from school or excepted from
16 attendance, all children who will have arrived at the age of at
17 least six years, and who will not have arrived at the age of
18 eighteen years, by January 1 of any school year, shall attend



1 either a public or private school for, and during, the school
2 year, and any parent, guardian, or other person having the
3 responsibility for, or care of, a child whose attendance at
4 school is obligatory shall send the child to either a public or
5 private school. Attendance at a public or private school shall
6 not be compulsory in the following cases:

- 7 (1) Where the child is physically or mentally unable to
8 attend school (deafness and blindness excepted), of
9 which fact the certificate of a duly licensed
10 physician shall be sufficient evidence;
- 11 (2) Where the child, who has reached the fifteenth
12 anniversary of birth, is suitably employed and has
13 been excused from school attendance by the
14 superintendent or the superintendent's authorized
15 representative, or by a family court judge;
- 16 (3) Where, upon investigation by the family court, it has
17 been shown that for any other reason the child may
18 properly remain away from school;
- 19 (4) Where the child has graduated from high school;
- 20 (5) Where the child is enrolled in an appropriate
21 alternative educational program as approved by the
22 superintendent or the superintendent's authorized



1 representative in accordance with the plans and
2 policies of the department, or notification of intent
3 to home school has been submitted to the principal of
4 the public school that the child would otherwise be
5 required to attend in accordance with department rules
6 adopted to achieve this result; or

7 (6) Where:

8 (A) The child has attained the age of [~~sixteen~~]
9 eighteen years;

10 (B) The principal has determined that:

11 (i) The child has engaged in behavior which is
12 disruptive to other students, teachers, or
13 staff; or

14 (ii) The child's non-attendance is chronic and
15 has become a significant factor that hinders
16 the child's learning; and

17 (C) The principal of the child's school, and the
18 child's teacher or counselor, in consultation
19 with the child and the child's parent, guardian,
20 or other adult having legal responsibility for or
21 care of the child, develops an alternative
22 educational plan for the child. The alternative



1 educational plan shall include a process that
 2 shall permit the child to resume school.
 3 The principal of the child's school shall file the
 4 plan made pursuant to subparagraph (C) with the
 5 child's school record. If the adult having legal
 6 responsibility for or care of the child disagrees with
 7 the plan, then the adult shall be responsible for
 8 obtaining appropriate educational services for the
 9 child."

10 SECTION 3. This Act does not affect rights and duties that
 11 matured, penalties that were incurred, and proceedings that were
 12 begun before its effective date.

13 SECTION 4. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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H.B. NO. 2615

Report Title:

Education; Compulsory Attendance; Age

Description:

Increases the age requirement for compulsory attendance at public or private schools from 16 years to 18 years.

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