
A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF EDUCATION.

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

1 SECTION 1. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to subpart C of part IV to be
3 appropriately designated and to read as follows:

4 "§302A- Promotional materials; community events;
5 nonprofit organizations. (a) Notwithstanding any law to the
6 contrary, upon appropriate approval, public schools may use
7 school resources to distribute to students and their families
8 third party promotional materials that contain information about
9 a community event or are produced by or offer services from an
10 organization that is exempt from federal taxes under section
11 501(c)(3) of the Internal Revenue Code of 1986, as amended, and
12 registered under section 467B-2.1 or granted an exception from
13 registration under section 467B-11.5; provided that the
14 promotional materials:

15 (1) Have a clear and specific benefit for students;

16 (2) Closely align with the department's educational
17 mission; or



1 (3) Demonstrably advance the implementation of the
2 department's strategic plan.

3 (b) Approval to distribute materials pursuant to
4 subsection (a) shall be obtained at the school level for
5 distribution limited to certain grade levels or specific
6 geographic areas. To obtain approval at the school level:

7 (1) The school principal seeking approval shall review the
8 materials and recommend approval to the complex area
9 superintendent; and

10 (2) The complex area superintendent shall approve, in
11 writing, the recommendation for distribution.

12 (c) Approval to distribute materials pursuant to
13 subsection (a) shall be obtained from the department for state-
14 wide distribution at all schools. To obtain department
15 approval:

16 (1) An assistant superintendent or office director shall
17 review the materials and recommend approval to the
18 superintendent; and

19 (2) The superintendent, or the superintendent's designee,
20 shall approve, in writing, the recommendation for
21 distribution.



1 (d) If approval to distribute materials is granted, each
2 school principal shall have the discretion to determine whether
3 and to what extent to distribute the material and to determine
4 an appropriate distribution method."

5 SECTION 2. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.

7
INTRODUCED BY:

Yakashi Shino

B. K. Ali

JAN 29 2015



H.B. NO. 1398

Report Title:

Department of Education; Nonprofit Organizations; Community Events; Promotional Materials

Description:

Allows public schools, upon appropriate approval, to use school resources to distribute to students and their families third party promotional materials that contain information about a community event or are produced by or offer services from a nonprofit organization if the material meets specified criteria.

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

