



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 2, 2019

GOV. MSG. NO. 1329

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 2, 2019, the following bill was signed into law:

SB980 HD1 CD1

RELATING TO EDUCATION.
ACT 227 (19)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Section 302A-1132, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§302A-1132 Attendance compulsory; exceptions. (a)

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



1 (b) Any employer who employs a child who is excused from
2 school attendance in accordance with subsection (a)(2) shall
3 notify the child's school within three days upon termination of
4 the child's employment.

5 (c) Beginning with the 2014-2015 school year, any parent,
6 guardian, or other person having the responsibility for, or care
7 of, a child who will be at least five years of age on or before
8 July 31 of the school year shall enroll the child in a public
9 school kindergarten unless the child is enrolled at a private
10 school or the child's attendance is otherwise exempt under this
11 section.

12 (d) As used in this section, "private school" means an
13 educational institution that teaches students in any grade from
14 kindergarten through grade twelve and that is licensed or
15 accredited by the Hawaii Association of Independent Schools,
16 Hawaii Council of Private Schools, Western Association of
17 Schools and Colleges, Western Catholic Educational Association,
18 Association of Christian Schools International, or a similarly
19 recognized entity that meets or exceeds the standards set by the
20 mentioned entities."

21 SECTION 2. New statutory material is underscored.



1 SECTION 3. This Act shall take effect on July 1, 2020.

APPROVED this 02 day of JUL, 2019

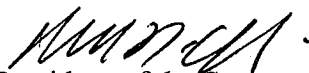
A handwritten signature in black ink, appearing to read "David Y. Ige". The signature is written in a cursive style with a large, sweeping flourish under the "Y".


GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.


President of the Senate


Clerk of the Senate

SB No. 980, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives