

JAN 25 2023

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# A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII AT HILO.

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

1           SECTION 1. The legislature finds that the State has two  
2 official languages, with both an English language medium  
3 education pathway and a Hawaiian language medium education  
4 pathway available from kindergarten through high school. Act  
5 46, Session Laws of Hawaii 2020, appropriated funds for the  
6 University of Hawaii at Hilo Imiloa astronomy center and  
7 University of Hawaii at Hilo Hawaiian language college to help  
8 establish a pathway for the development of Hawaiian language  
9 medium early education. The Hawaiian language college has  
10 developed an early education certificate taught entirely through  
11 the medium of Hawaiian and based in scientifically researched  
12 childhood development and cognitive development within a  
13 Hawaiian language medium education context. Imiloa astronomy  
14 center has successfully provided educational outreach to the  
15 State's students through innovative approaches and delivery that  
16 greatly strengthen the State's goal of expanding Hawaiian  
17 language medium early education within the State.



1           The legislature further finds that the University of Hawaii  
2 at Hilo Imiloa astronomy center identifies Hawaiian language  
3 proficiency development as a bottleneck in the development of  
4 Hawaiian language medium early education teachers. The United  
5 States Foreign Service finds Hawaiian language proficiency  
6 requires approximately one thousand one hundred hours of study,  
7 much more than the standard number of hours currently accorded  
8 Hawaiian language study outside of the University of Hawaii at  
9 Hilo Hawaiian language college. Standard foreign language  
10 learning models and the scheduling of foreign language learning  
11 in state high school and university settings both present  
12 challenges to the development of Hawaiian language medium early  
13 education teachers.

14           The legislature further finds that an institute model would  
15 allow the University of Hawaii at Hilo Imiloa astronomy center's  
16 year-round scheduling flexibility to extend to the University of  
17 Hawaii at Hilo Hawaiian language college and increase the center  
18 and college's collective agility in responding to opportunities  
19 to develop Hawaiian language proficiency and Hawaiian language  
20 medium early education sites and programs. An institute would  
21 help reduce the large Hawaiian language medium education teacher



1 shortage throughout kindergarten to twelfth grade; expand the  
2 center and college's collective reach and potential to address  
3 the State's and community's Hawaiian language needs; and produce  
4 work that would stand as a model for serving the distinctive  
5 needs of other indigenous peoples and marginalized groups,  
6 especially with regards to high-quality early education from a  
7 distinctive language base. Therefore, an institute model is  
8 crucial for the proper development of a Hawaiian language medium  
9 early education pathway.

10 Accordingly, the purpose of this Act is to establish an  
11 institute of indigenous education, science, and outreach within  
12 the University of Hawaii at Hilo through a collaboration between  
13 the University of Hawaii at Hilo Imiloa astronomy center and  
14 University of Hawaii at Hilo Hawaiian language college. The  
15 institute shall be administrated as a distinctive unit within  
16 the University of Hawaii with unique powers of scheduling,  
17 outreach, and functionality from those of the University of  
18 Hawaii.

19 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is  
20 amended by adding a new subpart to part IV to be appropriately  
21 designated and to read as follows:



1 " . INSTITUTE OF INDIGENOUS EDUCATION, SCIENCE, AND OUTREACH

2 §304A- Institute of indigenous education, science, and  
3 outreach; establishment. (a) There is established the  
4 institute of indigenous education, science, and outreach. The  
5 institute shall be placed within the University of Hawaii at  
6 Hilo through a collaboration between the University of Hawaii at  
7 Hilo Imiloa astronomy center and the University of Hawaii at  
8 Hilo Hawaiian language college; provided that the institute  
9 shall have its own unique powers of scheduling, outreach, and  
10 functionality from those of the University of Hawaii; provided  
11 further that the institute may incorporate as a nonprofit  
12 corporation to further its objectives.

13 (b) The qualifying standards and conditions relating to the  
14 receipt of funds under chapter 42F shall not apply to funds  
15 received by the institute; provided that if the institute  
16 contracts with a recipient or provider, the qualifying  
17 standards, conditions, and other provisions of chapter 42F shall  
18 apply to the recipient or provider and the contract.

19 (c) If the institute incorporates, to receive state funds,  
20 the institute shall:



- 1           (1) Be licensed or accredited in accordance with federal,  
2           state, or county laws, rules, or ordinances to conduct  
3           the activities or provide the services for which the  
4           funds are appropriated;
- 5           (2) Comply with all applicable federal and state laws  
6           prohibiting discrimination against any person on the  
7           basis of race, color, national origin, religion,  
8           creed, sex, age, sexual orientation, disability, or  
9           any other protected class;
- 10          (3) Agree not to use state funds for entertainment or  
11          lobbying activities;
- 12          (4) Be incorporated pursuant to chapter 414D;
- 13          (5) Have been determined and designated to be a tax-exempt  
14          organization by the Internal Revenue Service;
- 15          (6) Maintain bylaws or policies that describe the manner  
16          in which the activities or services for which a grant  
17          or subsidy is awarded shall be conducted or provided;  
18          and
- 19          (7) Include only members on the governing board who have  
20          no material conflict of interest and who shall serve  
21          without compensation.



1 (d) The institute shall seek, receive, and accept from  
2 public and private sources, whether located within or without  
3 the United States, grants, gifts, devises, bequests, or any  
4 other money or property, real, personal, or mixed, tangible or  
5 intangible, absolutely or in trust, to be used in carrying out  
6 the purposes of the institute.

7 (e) The institute may enter into purchase of power  
8 agreements.

9 (f) The institute may execute its duties under the  
10 purchase of power agreements throughout the affected tax map key  
11 areas.

12 (g) The comptroller and state auditor may examine the  
13 institute's use of state funds.

14 **§304A- Patents, copyrights, and other rights.** Any  
15 patents, copyrights, inventions, discoveries, or other rights  
16 arising from activities of the institute of indigenous  
17 education, science, and outreach shall belong to the institute  
18 and shall be subject to policies or rules as adopted by the  
19 board of regents.

20 **§304A- Annual report.** The institute of indigenous  
21 education, science, and outreach shall submit an annual report



1 on the institute's activities to the legislature no later than  
2 twenty days prior to the convening of each regular session."

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

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INTRODUCED BY: *Spencer R. Swartz*



# S.B. NO. 1546

**Report Title:**

University of Hawaii at Hilo; Imiloa Astronomy Center; Hawaiian Language College; Institute of Indigenous Education, Science, and Outreach; Establishment

**Description:**

Establishes the Institute of Indigenous Education, Science, and Outreach within the University of Hawaii at Hilo.

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

