

JAN 17 2024

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# 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 drowning is a tragic  
2 but preventable source of injury and death in the State,  
3 especially among children. Specifically, the department of  
4 health has found that drowning was the leading cause of  
5 injury-related mortality for Hawaii's children between 2014 and  
6 2018. In fact, more children died by drowning than in motor  
7 vehicle and pedestrian accidents combined.

8           The legislature also finds that although visitors made up a  
9 slight majority of the fatal drownings that occurred in the  
10 State between 2014 and 2018, an alarmingly large proportion of  
11 fatal child drownings--ninety-six per cent--were among resident  
12 children. During the same period, there was an annual average  
13 of seventy non-fatal child drowning incidents attended by  
14 emergency medical services. Although individuals who experience  
15 non-fatal drowning incidents escape with their lives, some are  
16 left with severe brain damage. Those individuals may face  
17 long-term disabilities including memory problems, learning



1 disabilities, or permanent losses of basic functions, a disorder  
2 often referred to as a persistent vegetative state. Given the  
3 potential for death or severe long-term injuries, the State must  
4 prioritize the prevention of fatal and non-fatal drownings.

5       The legislature further finds that most drowning deaths  
6 could be prevented through deliberate government action.  
7 Specifically, the International Life Saving Federation's  
8 Position Statement for Swimming and Safety Education recommends  
9 that everyone have access to training in water safety, personal  
10 survival, and water rescue. Ideally, this training should  
11 commence at a young age and should be available regardless of  
12 ability and background. In addition, the International Life  
13 Saving Federation recommends that knowledge and understanding of  
14 water environments and their associated hazards should be taught  
15 to everyone at the earliest possible age.

16       Despite these recommendations, the legislature finds that  
17 many of Hawaii's youth do not have the opportunity to receive  
18 aquatic safety instruction. Less than ten per cent of public  
19 and public charter elementary schools integrate aquatic safety  
20 education into their physical education curriculums. Outside of  
21 schools, municipal aquatic safety programs lack the resources to



1 meet public demand, and obtaining private lessons is often cost-  
2 prohibitive for many local families.

3 As a result, many children are inadequately prepared for  
4 water-related emergencies. An assessment of Hawaii students  
5 conducted by the Hawaii Aquatics Academy during the 2018-2019  
6 school year found that only thirty-one per cent of participating  
7 students could swim for twenty-five yards, only twelve per cent  
8 could float for thirty seconds, and only thirteen per cent could  
9 tread water for sixty seconds.

10 The legislature finds that all children should be provided  
11 equal access to standards-based aquatic safety education  
12 programs. To achieve this, aquatic safety education should be  
13 integrated into the health and physical education curriculums of  
14 public schools. Providing proper training in water safety,  
15 personal survival, and water rescue will help to ensure that the  
16 State's youth, especially those from low- and moderate-income  
17 communities, know how to avoid and recover from hazardous  
18 aquatic situations. This would also be consistent with the  
19 department of health's Hawaii Injury Prevention Plan 2018-2023,  
20 which aims to decrease the incidence of drownings in the State.



1           Accordingly, the purpose of this Act is to appropriate  
2 funds to the department of education to:

3           (1) Contract with a qualified nonprofit organization to  
4           establish an aquatic safety education program for  
5           elementary school students; and

6           (2) Establish one full-time equivalent position (1.0 FTE)  
7           within the department of education to administer the  
8           program.

9           SECTION 2. In accordance with section 9 of article VII of  
10 the Hawaii State Constitution and sections 37-91 and 37-93,  
11 Hawaii Revised Statutes, the legislature has determined that the  
12 appropriations contained in Act 164, Regular Session of 2023,  
13 and this Act will cause the state general fund expenditure  
14 ceiling for fiscal year 2024-2025 to be exceeded by  
15 \$           or           per cent. This current declaration takes  
16 into account general fund appropriations authorized for fiscal  
17 year 2024-2025 in Act 164, Regular Session of 2023, and this Act  
18 only. The reasons for exceeding the general fund expenditure  
19 ceiling are that:

20           (1) The appropriation made in this Act is necessary to  
21           serve the public interest; and



1 (2) The appropriation made in this Act meets the needs  
2 addressed by this Act.

3 SECTION 3. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ or so  
5 much thereof as may be necessary for fiscal year 2024-2025 for  
6 the department of education to:

7 (1) Contract with a qualified nonprofit organization,  
8 pursuant to chapter 103D, Hawaii Revised Statutes, to  
9 establish an aquatic safety education program, which  
10 shall be offered to elementary school students during  
11 regular school hours; and

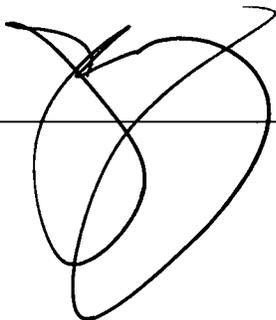
12 (2) Establish one full-time equivalent position (1.0 FTE)  
13 to administer the aquatic safety education program  
14 established pursuant to this Act.

15 The sum appropriated shall be expended by the department of  
16 education for the purposes of this Act.

17 SECTION 4. This Act shall take effect on July 1, 2024.

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INTRODUCED BY:

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# S.B. NO. 2098

**Report Title:**

DOE; Aquatic Safety Education; Positions; Expenditure Ceiling; Appropriation

**Description:**

Appropriates funds to the Department of Education to contract with a qualified nonprofit organization to establish an aquatic safety education program for elementary school students and to establish one full-time equivalent position (1.0 FTE) to administer the program.

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

