

ACT 39

An Act Amending Sections 40-4 and 40-8 of the Revised Laws of Hawaii 1955, as Amended, Relating to Public Kindergartens and Schools and Attendance.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Amend Section 40-4 of the Revised Laws of Hawaii 1955, as amended, to read as follows :

“Sec. 40-4. Kindergartens; attendance. The department may establish and maintain kindergartens with a program of instruction in school zones in which there are at least 15 children eligible to attend, as a part of the public school system.

No child shall attend any kindergarten unless he will be at least 5 years of age on or before December thirty-first of the school year ; provided that a child attending a school which convenes after the regular school schedule shall be 5 years of age on or before 125 days following the date such school shall convene. No child shall remain in a kindergarten for more than a regular school year.

The department may accept gifts to establish and maintain kindergartens.”

SECTION 2. Amend section 40-8 of the Revised Laws of Hawaii 1955, as amended, to read as follows :

“Sec. 40-8. Public schools; attendance. Except as authorized by section 40-4, no child shall attend any public school unless he will be at least 6 years of age on or before December thirty-first of the school year ; provided that a child attending a school which convenes after the regular school schedule shall be 6 years of age on or before 125 days following the date such school shall convene.

All teachers who teach in the first and second grades and principals of public schools shall enforce this section and require proof of age by birth certificates or certificates of registration, or if none can be obtained, then by satisfactory evidence.”

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

(Approved May 16, 1961.) **S.B. 112.**
