

ACT 141

H.B. NO. 1012

A Bill for an Act Relating to School Discipline.

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

SECTION 1. Section 302A-1134.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Any child who is found to be in possession of a dangerous weapon, switchblade knife, intoxicating liquor, or illicit drugs while attending school, may be excluded from attending school for up to ninety-two school days, as determined by the principal and approved by the superintendent ~~], the deputy superintendent, or the district superintendent with authority over the child~~. The due process procedures of the department [of education] adopted pursuant to chapter 91, shall apply to any child who is alleged to be in possession of a dangerous weapon, switchblade knife, intoxicating liquor, or illicit drugs while attending school. If a child is excluded from attending school, the superintendent shall ensure that substitute educational activities or other appropriate assistance [shall be] are provided, [and that the child is referred] such as referral for appropriate intervention and ~~treatment~~ services, as determined by the principal in consultation with the school counselor.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 16, 1997.)