

## ACT 133

H.B. NO. 2667

A Bill for an Act Relating to Hawaiian Language Medium Education.

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

SECTION 1. The legislature finds that an instructional program in which children meet the State's educational standards through the medium of the Hawaiian language is a vehicle for revitalizing, maintaining, and strengthening the Hawaiian language for its speakers and the State as a whole. The purpose of this Act is to establish the Hawaiian language medium education program and to enable its full implementation.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

**“CHAPTER  
HAWAIIAN LANGUAGE MEDIUM EDUCATION**

§ -1 **Hawaiian language medium education program; established.** The Hawaiian language medium education program may be established as a complete educational program or schooling experience provided to students in the medium of the Hawaiian language. The educational objectives of this program shall take into consideration how its content integrates with Hawaiian language and culture curricula and Hawaiian language medium curricula offered at the preschool and college levels, may be the same as the English language medium program, and may fulfill unique Hawaiian language medium education program goals.

§ -2 **Attendance and eligibility.** All children of compulsory school age choosing to enroll in the Hawaiian language medium program in families of fluent Hawaiian-speaking persons may be given preference for admittance. Other persons may enroll at the discretion of individual school sites under the conditions described above and in compliance with applicable state and federal laws. All students and their families shall abide by the special rules of the program with respect to family participation.

§ -3 **Office of Hawaiian language medium education; personnel.** The department of education may create a separate office of Hawaiian language medium education for the direction and control of the program. The department may employ

necessary personnel qualified by training and experience to direct and supervise the types of instruction and special services specified in this chapter. Publicly funded institutions of higher education may create teacher preparation programs to ensure that pre-service training is provided to students interested in teaching elementary and secondary students in the Hawaiian language.

§ -4 **Facilities or transportation.** When fifteen or more qualified children in any one departmental school district wish to enroll in the Hawaiian language medium education program, the superintendent of education may provide facilities for a Hawaiian language medium education program or provide transportation to the nearest schooling site providing the program, including a charter school site or laboratory school site.

§ -5 **Student performance.** The department of education may develop and use multiple assessment strategies and instruments to assess student achievement and performance and to evaluate the effectiveness of teaching strategies and methods being used in the Hawaiian language medium education program.

§ -6 **Hawaiian language medium state education agency; districts and complex areas.** The department of education may establish a Hawaiian language medium state education agency with the capability of operating districts and complex areas on an equal basis with any other districts and complex areas of the department. The Hawaiian language medium state education agency shall encompass the entire State, may administer schools consisting of geographically non-contiguous classes, boarding schools, charter schools, or cyber schools and may share facilities, administration, programs, resources, and funding with other public, charter, and private schools and colleges as appropriate. All schools and programs taught through the medium of the Hawaiian language shall be included in the Hawaiian language medium state education agency.

§ -7 **Collaboration.** The department of education shall work collaboratively with the Hawaiian language college of the University of Hawaii at Hilo and any other entities recognized by the legislature for the purpose of addressing Hawaiian language medium education, extending to those entities support for inclusion in the special provisions for children and families enrolled in the Hawaiian language medium education program of the department and maximizing the joint use of existing and new resources to meet the goal of revitalizing, maintaining, and strengthening the Hawaiian language.”

SECTION 3. Section 302A-630, Hawaii Revised Statutes, is amended to read as follows:

“[E]§302A-630[E] **Teachers with special assignments, vocational agriculture, [and] technical school teachers[.], and staff and administrators in Hawaiian language medium education.** (a) Teachers with special assignments, where their responsibilities are greater, may be provided additional benefits by the department.

(b) Teachers in Hawaiian language medium education whose responsibilities are greater or unique and require additional language skills may be provided additional benefits by the department.

(c) In determining additional benefits for vocational agriculture and technical school teachers, the department may allow credit for practical experience.

(d) In determining additional benefits for teachers, staff, and administrators in Hawaiian language medium education, the department may allow credit for practical experience.”

SECTION 4. Section 302A-1128, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The department shall have entire charge and control and be responsible for the conduct of all affairs pertaining to public instruction. The department may establish and maintain schools for secular instruction at such places and for such terms as in its discretion it may deem advisable and the funds at its disposal may permit. The schools may include high schools, kindergarten schools, schools or classes for pregrade education, boarding schools, Hawaiian language medium education schools, and evening and day schools. The department may also maintain classes for technical and other instruction in any school where there may not be pupils sufficient in number to justify the establishment of separate schools for these purposes.”

SECTION 5. Section 302A-1143, Hawaii Revised Statutes, is amended to read as follows:

“~~[E]§302A-1143[.]~~ **Attend school in what district.** All persons of school age shall be required to attend the school of the district in which they reside, unless enrolled in a Hawaiian language medium education program, or unless it appears to the department to be desirable to allow the attendance of pupils at a school in some other district, in which case the department may grant this permission.”

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval.

(Approved June 18, 2004.)