

ACT 52

H.B. NO. 945

A Bill for an Act Relating to Education.

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

SECTION 1. Section 302A-251, Hawaii Revised Statutes, is amended to read as follows:

“[§]302A-251[§] School year; instructional time. (a) Notwithstanding any other law to the contrary, ~~[for] beginning with the 2011-2013 school years, all public schools, [except] excluding charter schools[-] and multi-track public schools,~~ shall implement a school year of one hundred eighty days, excluding professional development days and other non-instructional days negotiated pursuant to chapter 89~~[-] that shall include:~~

- (1) ~~Nine hundred fifteen student instructional hours for the elementary school grades; and~~
- (2) ~~Nine hundred ninety student instructional hours for the secondary school grades].~~
- (b) Notwithstanding any other law to the contrary:
- (1) For the 2011-2012 school year, fifty per cent of all public elementary schools in the State, excluding charter schools and multi-track public schools, shall implement a school year that includes nine hundred fifteen student instructional hours; and
- (2) Beginning with the 2012-2013 school year, all public elementary schools in the State, excluding charter schools and multi-track public schools, shall implement a school year that includes nine hundred fifteen student instructional hours.

(c) Notwithstanding any other law to the contrary, for the 2014-2016 school years, all public secondary schools, excluding charter schools and multi-track public schools, shall implement a school year that includes nine hundred ninety student instructional hours.

~~[(b)]~~ (d) Notwithstanding any other law to the contrary, for the ~~[2013-2015]~~ 2016-2018 school years, all public schools, ~~[except]~~ excluding charter schools~~;~~ and multi-track public schools, shall implement a school year of one hundred eighty days, excluding professional development days and other non-instructional days negotiated pursuant to chapter 89, that shall include one thousand eighty student instructional hours for both elementary and secondary school grades.

(e) The board, in its discretion, may grant a waiver to any individual school subject to the student instructional hours or one hundred eighty day school year requirements in this section. The board shall adopt policies and procedures to grant a waiver under this subsection.

~~[(e)]~~ (f) For purposes of this section, “student instructional hours” means student learning time during which students are engaged in learning activities including regularly-scheduled instruction and learning assessments within the curriculum, and does not include lunch, recess, or passing time.

(g) The department of education, with the board of education and office of the governor, and in consultation with representatives of the affected collective bargaining units, shall submit to the legislature no later than twenty days prior to the convening of the regular sessions of 2013, 2014, 2015, 2016, 2017, and 2018, a report on its progress and efforts to meet the requirements of subsections (a), (b), (c), and (d)."

SECTION 2. Act 167, Session Laws of Hawaii 2010, is amended by amending section 4 to read as follows:

“SECTION 4. The department of education shall, with the board of education and office of the governor, and in consultation with representatives of the affected collective bargaining units, submit to the legislature, no later than twenty days prior to the convening of the regular session of ~~[2012,]~~ 2015, a plan to implement beginning with the 2018-2019 school year, for elementary and secondary school grades at all public schools, excluding charter schools and multi-track public schools, a school year of one hundred ninety days, excluding professional development days and other non-instructional days negotiated pursuant to chapter 89, Hawaii Revised Statutes, that shall include one thousand one hundred forty student instructional hours ~~[for both elementary and secondary school grades at all public schools, except charter schools, for school years beginning with the 2015-2016 school year]~~.

For purposes of this section, “student instructional hours” shall have the same meaning as in section ~~[302A—,]~~ 302A-251, Hawaii Revised Statutes.”

SECTION 3. The department of education shall:

- (1) Re-examine what constitutes student instructional hours, determine current levels of student instructional hours at each school, and assess the ability of all schools to comply with the requirements of section 302A-251(a),(b), and (c), Hawaii Revised Statutes; and
- (2) Report its findings under paragraph (1) to the legislature no later than September 1, 2011.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved May 18, 2011.)