

JAN 16 2014

A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 302A-101, Hawaii Revised Statutes, is
2 amended by adding two new definitions to be appropriately
3 inserted and to read as follows:

4 "Attend" or "attendance" means a student is physically
5 present in school after enrollment.

6 "Enroll" or "enrollment" means a student has met all of the
7 department's requirements for entrance and is formally put on a
8 school's roll."

9 SECTION 2. Section 302A-1145, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "~~+~~§302A-1145~~+~~ **Transfer to another school.** No school
12 shall receive any child under eighteen years of age, who has
13 attended another school of the same class in the same district,
14 unless the child produces to the school in which to be
15 ~~[entered,~~ enrolled, a certificate of release of the school last
16 attended by the child. If the child applies to attend a school
17 of higher grade, a certificate of proficiency shall be required
18 or a lawful excuse for its absence. The children from one



1 [~~district~~] service area desiring to enter a school in another
2 [~~district~~] service area may be received or [~~admitted~~] enrolled
3 upon producing a certificate of release from the school last
4 attended in the other district."

5 SECTION 3. Section 302A-1154, Hawaii Revised Statutes, is
6 amended as follows:

7 1. By amending the title to read:

8 "**§302A-1154 Immunization upon [~~entering~~] attending school;**
9 **tuberculosis clearance.**"

10 2. By amending subsection (b) to read:

11 "(b) No child shall [~~be admitted to~~] attend any school for
12 the first time in the State unless the child presents to the
13 appropriate school official documentation satisfactory to the
14 department of health that the child has been examined and tested
15 according to the rules of the department, and is free from
16 tuberculosis in a communicable form."

17 SECTION 4. Section 302A-1155, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§302A-1155 Provisional [~~entrance~~] attendance to school.**

20 (a) A child may [~~enter~~] attend school provisionally upon
21 submitting written documentation from a licensed physician,
22 physician assistant, advanced practice registered nurse, or an



1 authorized representative of the department of health stating
2 that the child is in the process of receiving the required
3 immunizations. Further documentation showing that the required
4 immunizations have been completed shall be submitted to the
5 appropriate school official no later than three months after the
6 child first ~~[entered]~~ attended the school. If all of the
7 required immunizations cannot be completed within three months
8 due to the length of the minimum intervals between doses of a
9 particular vaccine required by the department of health,
10 provisional ~~[admission]~~ attendance may be extended so long as
11 the child's parent or guardian provides documentation that
12 appointments for required immunizations have been made and that
13 progress toward completing the immunizations continues in
14 accordance with the requirements of the department of health.

15 (b) Provisional ~~[entrance to]~~ attendance at school may be
16 suspended by the department of health when there is danger of an
17 epidemic from any of the communicable diseases for which
18 immunization is required."

19 SECTION 5. Section 302A-1159, Hawaii Revised Statutes, is
20 amended to read as follows:

21 **"§302A-1159 Physical examination required.** No child shall
22 ~~[be admitted to]~~ attend any school for the first time in the



1 State unless the child presents to the appropriate school
2 official a report from a licensed physician or advanced practice
3 registered nurse of the results of a physical examination
4 performed within a year of the date of [~~entry into~~] attendance
5 at school. A child may [~~enter~~] attend school provisionally upon
6 submitting written documentation from a licensed physician,
7 advanced practice registered nurse, or other authorized
8 representative of the department of health stating that the
9 child is in the process of undergoing a physical examination.
10 Further documentation showing that the required physical
11 examination has been completed shall be submitted to the
12 appropriate school official no later than three months after the
13 child first [~~entered~~] attended the school."

14 SECTION 6. Section 302A-1161, Hawaii Revised Statutes, is
15 amended to read as follows:

16 **"§302A-1161 Notification for noncompliance.** If a child
17 does not complete the immunizations required under section
18 302A-1154 or the physical examination required under section
19 302A-1159 within the period provided by section 302A-1155 after
20 provisional [~~entry into~~] attendance at school, the administrator
21 of the school shall cause a notice to be sent to the parent or
22 guardian of the child stating that if the required immunizations



1 or physical examination is not completed within thirty days of
2 the date of the notice, the child shall not be [~~admitted~~]
3 permitted to attend school."

4 SECTION 7. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 8. This Act shall take effect upon its approval.

7

INTRODUCED BY: Jim



S.B. NO. 2136

Report Title:

Department of Education; Attendance; Enrollment

Description:

Amends chapter 302A, HRS, to add new definitions of "attend", "attendance", "enroll", and "enrollment". Makes clarifying amendments throughout chapter 302A, HRS.

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

