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# A BILL FOR AN ACT

RELATING TO PRESCHOOLS.

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

1 SECTION 1. Section 26-12, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§26-12 Department of education. The department of  
4 education shall be headed by an executive board to be known as  
5 the board of education.

6 Under policies established by the board, the superintendent  
7 shall administer programs of education and public instruction  
8 throughout the State, including education at the [~~preschool~~,]  
9 primary[~~7~~] and secondary school levels, adult education, school  
10 library services, health education and instruction (not  
11 including dental health treatment transferred to the department  
12 of health), special education and Title I funded programs at the  
13 prekindergarten level, and such other programs as may be  
14 established by law. The state librarian, under policies  
15 established by the board of education, shall be responsible for  
16 the administration of programs relating to public library  
17 services and transcribing services for the blind.



1           The functions and authority heretofore exercised by the  
2 department of education (except dental health treatment  
3 transferred to the department of health), library of Hawaii,  
4 Hawaii county library, Maui county library, and the transcribing  
5 services program of the bureau of sight conservation and work  
6 with the blind, as heretofore constituted are transferred to the  
7 public library system established by this chapter.

8           The management contract between the board of supervisors of  
9 the county of Kauai and the Kauai public library association  
10 shall be terminated at the earliest time after November 25,  
11 1959, permissible under the terms of the contract and the  
12 provisions of this paragraph shall constitute notice of  
13 termination, and the functions and authority heretofore  
14 exercised by the Kauai county library as heretofore constituted  
15 and the Kauai public library association over the public  
16 libraries in the county of Kauai shall thereupon be transferred  
17 to the public library system established by this chapter.

18           The management contracts between the trustees of the  
19 library of Hawaii and the Friends of the Library of Hawaii, and  
20 between the library of Hawaii and the Hilo library and reading  
21 room association, shall be terminated at the earliest time after



1 November 25, 1959, permissible under the terms of the contracts,  
2 and the provisions of this paragraph shall constitute notice of  
3 termination.

4       Upon the termination of the contracts, the State or the  
5 counties shall not enter into any library management contracts  
6 with any private association; provided that in providing library  
7 services the board of education may enter into contracts  
8 approved by the governor for the use of lands, buildings,  
9 equipment, and facilities owned by any private association.

10       Notwithstanding any law to the contrary, the board of  
11 education may establish, specify the membership number and  
12 quorum requirements for, appoint members to, and disestablish a  
13 commission in each county to be known as the library advisory  
14 commission, which shall in each case sit in an advisory capacity  
15 to the board of education on matters relating to public library  
16 services in their respective county."

17       SECTION 2. Section 302A-1111, Hawaii Revised Statutes, is  
18 amended by amending subsection (a) to read as follows:

19       "(a) Under policies established by the board, the  
20 superintendent shall be designated as the chief executive  
21 officer of the public school system having jurisdiction over the



1 internal organization, operation, and management of the public  
2 school system, as provided by law; and shall administer programs  
3 of education and public instruction throughout the State,  
4 including education at the [~~preschool,~~] primary[~~,~~] and secondary  
5 school levels, and such other programs as may be established by  
6 law."

7 SECTION 3. Section 325-124, Hawaii Revised Statutes, is  
8 amended by amending subsection (c) to read as follows:

9 "(c) Registry information regarding specific individuals  
10 in the registry may be accessed by school and post-secondary  
11 school personnel authorized by the director of health, the  
12 superintendent of education, the director of the executive  
13 office on early learning, or the administrator of a private or  
14 post-secondary school for the purpose of ensuring compliance  
15 with mandatory student immunization requirements."

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

18 SECTION 5. This Act shall take effect on July 1, 2018.



**Report Title:**

DOE; Executive Office on Early Learning; Housekeeping;  
Preschools

**Description:**

Makes housekeeping amendments to remove preschools from the Superintendent's scope of authority and to clarify that the Executive Office on Early Learning Director may authorize preschool personnel access to a student's immunization registry information. Requires the DOE to administer special education and Title I funded programs at the prekindergarten level. (SD1)

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

