A BILL FOR AN ACT

RELATING TO EDUCATION.

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

SECTION 1. Section 302A-1132, Hawaii Revised Statutes, is amended to read as follows:

"§302A-1132 Attendance compulsory; exceptions. (a)

Unless excluded from school or excepted from attendance, all children who will have arrived at the age of at least five years on or before July 31 of the school year, and who will not have arrived at the age of eighteen years, by January 1 of any school year, shall attend either a public or private school for, and during, the school year, and any parent, guardian, or other person having the responsibility for, or care of, a child whose attendance at school is obligatory shall send the child to either a public or private school. Attendance at a public or private school shall not be compulsory in the following cases:

(1) Where the child is physically or mentally unable to attend school (deafness and blindness excepted), of which fact the certificate of a duly licensed physician shall be sufficient evidence;
(2) Where the child, who has reached the fifteenth anniversary of birth, is suitably employed and has been excused from school attendance by the superintendent or the superintendent's authorized representative, or by a family court judge;

(3) Where, upon investigation by the family court, it has been shown that for any other reason the child may properly remain away from school;

(4) Where the child has graduated from high school;

(5) Where the child is enrolled in an appropriate alternative educational program as approved by the superintendent or the superintendent's authorized representative in accordance with the plans and policies of the department, or notification of intent to home school has been submitted to the principal of the public school that the child would otherwise be required to attend in accordance with department rules adopted to achieve this result; or

(6) Where:

(A) The child has attained the age of sixteen years;

(B) The principal has determined that:
(i) The child has engaged in behavior which is
   disruptive to other students, teachers, or
   staff; or
(ii) The child's non-attendance is chronic and
    has become a significant factor that hinders
    the child's learning; and
(C) The principal of the child's school, and the
    child's teacher or counselor, in consultation
    with the child and the child's parent, guardian,
    or other adult having legal responsibility for or
    care of the child, develops an alternative
    educational plan for the child. The alternative
    educational plan shall include a process that
    shall permit the child to resume school.

The principal of the child's school shall file the
plan made pursuant to subparagraph (C) with the
child's school record. If the adult having legal
responsibility for or care of the child disagrees with
the plan, then the adult shall be responsible for
obtaining appropriate educational services for the
child.
(b) Any employer who employs a child who is excused from school attendance in accordance with subsection (a)(2) shall notify the child's school within three days upon termination of the child's employment.

(c) Beginning with the 2014-2015 school year, any parent, guardian, or other person having the responsibility for, or care of, a child who will be at least five years of age on or before July 31 of the school year shall enroll the child in a public school kindergarten unless the child is enrolled at a private school or the child's attendance is otherwise exempt under this section.

(d) As used in this section, "private school" means an educational institution that teaches students in any grade from kindergarten through grade twelve and that is licensed or accredited by the Hawaii Association of Independent Schools, Hawaii Council of Private Schools, Western Association of Schools and Colleges, Western Catholic Educational Association, Association of Christian Schools International, or a similarly recognized entity that meets or exceeds the standards set by the aforementioned entities."

SECTION 2. New statutory material is underscored.
SECTION 3. This Act shall take effect on July 1, 2020.
Report Title:
Education; Compulsory Attendance; Private Schools; Licensure

Description:
Define, for the purpose of compulsory education, a private school to be an education institution that teaches kindergarten through grade twelve and that is licensed or accredited by specified licensing or accrediting organizations. Effective 7/1/2020. (CD1)

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