
A BILL FOR AN ACT

RELATING TO TEACHING THE HAWAIIAN LANGUAGE IN THE PUBLIC
SCHOOLS.

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

1 SECTION 1. The legislature finds that there is a need to
2 require the department of education to teach the Hawaiian
3 language in the public schools.

4 The use of the Hawaiian language is embedded in the
5 Constitution of the State of Hawaii. The preamble to the
6 constitution proclaims: "We, the people of Hawaii, grateful for
7 Divine Guidance, and mindful of our Hawaiian heritage and
8 uniqueness as an island State, dedicate our efforts to fulfill
9 the philosophy decreed by the Hawaii State motto, 'Ua mau ke ea
10 o ka aina i ka pono.'" Moreover, article X, section 4 of the
11 Hawaii state constitution requires the State to promote the
12 study of Hawaiian culture, history, and language and provide for
13 a Hawaiian education program consisting of language, culture,
14 and history in the public schools. Furthermore, article XV,
15 section 4 establishes English and Hawaiian as the official
16 languages of the State.



1 The legislature also finds that despite the lofty position
2 accorded to the Hawaiian language in the state constitution,
3 relatively few public schools offer Hawaiian language courses.
4 Accordingly, the purposes of this Act are to:

- 5 (1) Require the department of education to move forward in
6 clearly defined stages, geared to the teacher
7 licensing cycle, toward a future day when all the
8 public schools will offer Hawaiian language courses;
- 9 (2) Establish a loan fund, including loan forgiveness
10 provisions, to provide financial support to students
11 wishing to teach the Hawaiian language in the public
12 school system; and
- 13 (3) Give a high priority to district transfer requests
14 from pupils who wish to attend public schools that
15 offer Hawaiian language courses.

16 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
17 amended by adding a new section to be appropriately designated
18 and to read as follows:

19 "§302A- Requirement to teach the Hawaiian language. By
20 the 2011-2012 school year, at least twenty-five per cent of all
21 public elementary schools, fifty per cent of all public middle
22 and intermediate schools, and fifty per cent of all public high



1 schools shall offer Hawaiian language courses. By the 2016-2017
2 school year, at least fifty per cent of all public elementary
3 schools, and one hundred per cent of all public middle and
4 intermediate schools and one hundred per cent of all public high
5 schools, shall offer Hawaiian language courses."

6 SECTION 3. Chapter 304, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 **"§304- Hawaiian language teacher loan program; special**
10 **fund.** (a) There is created the Hawaiian language teacher loan
11 program to be administered by the University of Hawaii, for the
12 purpose of providing financial support to students who agree to
13 teach the Hawaiian language in the Hawaii public school system.
14 The loan program shall provide an aggregate amount equivalent to
15 tuition payments, costs of textbooks, and other instructional
16 materials necessary to complete a program that qualifies the
17 student to teach the Hawaiian language in the Hawaii public
18 school system.

19 (b) There is created in the treasury of the State, the
20 Hawaiian language teacher loan program special fund, for the
21 purpose of providing loans pursuant to subsection (a). All
22 loans made under this section shall bear interest at five per

1 cent simple interest. Repayment of principal and interest
2 charges shall commence one year after graduation or three months
3 after a borrower ceases to be enrolled in a program that
4 qualifies the student to teach the Hawaiian language in the
5 Hawaii public school system. Repayment shall be made in
6 periodic installments within a six-year period. The university
7 may charge late fees and all other reasonable costs for the
8 collection of delinquent loans. The following may be deposited
9 into the special fund: appropriations made by the legislature,
10 private contributions, repayment of loans, including interest
11 and payments received on account of principal, and moneys from
12 other sources; provided that:

13 (1) Moneys on balance in the special fund at the close of
14 each fiscal year shall remain in that fund and shall
15 not lapse to the credit of the general fund; and

16 (2) An amount from the special fund not exceeding five per
17 cent of the total amount of outstanding loans may be
18 used by the university for administrative expenses
19 incurred in administering the special fund.

20 The university may adopt rules to implement the Hawaiian
21 language teacher loan program. The rules shall be adopted



1 pursuant to chapter 91, but shall be exempt from the public
2 notice and public hearing requirements.

3 (c) Upon a showing of proof that an individual:

4 (1) Has completed a program that qualifies the individual
5 to teach the Hawaiian language in the Hawaii public
6 school system; and

7 (2) Is employed as a teacher of the Hawaiian language in
8 the Hawaii public school system;

9 one-sixth of the total amount of the loan and interest shall be
10 waived for every year that a loan recipient teaches the Hawaiian
11 language in the Hawaii public school system. Liability for
12 repayment of a loan shall be canceled upon the death or
13 permanent total disability of the borrower.

14 (d) If a loan recipient subject to this section fails to
15 teach the Hawaiian language in the Hawaii public school system
16 for a minimum of six consecutive years from the loan recipient's
17 original date of employment with the department of education,
18 excluding sabbatical and other forms of temporary leaves of
19 absence, then the loan recipient shall repay any remaining loan
20 balance at the rate of ten per cent simple interest.

21 (e) In accordance with chapter 103D, the university may
22 enter into written contracts with collection agencies for the



1 purpose of collecting delinquent student loans. All payments
2 collected, exclusive of a collection agency's commissions, shall
3 revert, and be credited, to the loan fund. A collection agency
4 that enters into a written contract with the University of
5 Hawaii for the collection of delinquent student loans pursuant
6 to this section, may collect a commission from the debtor in
7 accordance with the terms of, and up to the amounts authorized
8 in, the written contract."

9 SECTION 4. Section 302A-1143, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"§302A-1143 Attend school in what district. (a)** All
12 persons of school age shall be required to attend the school of
13 the district in which they reside, unless enrolled in a Hawaiian
14 language medium education program, or unless it appears to the
15 department to be desirable to allow the attendance of pupils at
16 a school in some other district, in which case the department
17 may grant this permission.

18 (b) When considering the option of allowing a student to
19 attend school in another district, the department shall give
20 first priority to pupils who wish to attend schools that offer
21 Hawaiian language courses; provided that the school in the



1 district in which they reside does not offer Hawaiian language
2 courses."

3 SECTION 5. New statutory material is underscored.

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

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INTRODUCED BY:

Calvin K. Y. Bay

BY REQUEST

JAN 23 2006



Report Title:

Education; Hawaiian Language; Teacher Loan Program

Description:

Establishes timeline that ultimately provides Hawaiian language courses in all public middle and high schools and 50% of public elementary schools. Establishes a loan fund to support students wishing to teach the Hawaiian language. Gives priority to district transfer request from pupils wishing to take Hawaiian language courses.

