

JAN 25 2006

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# A BILL FOR AN ACT

RELATING TO NON-SCHOOL HOURS ACTIVITIES PROGRAMS.

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

1           SECTION 1. The legislature is committed to excellence in  
2 education in Hawaii. In the Reinventing Education Act, Act 51  
3 of the regular session of 2004, the legislature found that  
4 significant changes were required to enhance Hawaii's public  
5 education system. In particular, the legislature found that:  
6 "Although the State's students, parents, teachers, school  
7 administrators, departmental staff, and other educational  
8 stakeholders strive to achieve excellence, their efforts will  
9 never be completely successful until various aspects of the  
10 system around them are improved."

11           The legislature reiterates its support for efforts by the  
12 department of education to improve Hawaii's schools to enhance  
13 the academic achievement, safety and well being, and civic  
14 commitment of students, to meet the evolving needs of today's  
15 communities.

16           The legislature further finds great value in programs held  
17 during non-school hours. Research demonstrates that youth who  
18 participate in programs held during non-school hours are less



1 likely to drink alcohol, smoke, use drugs, or drop out of  
2 school. The State's non-school hours activities programs  
3 provide safe and supervised education, enrichment, and  
4 recreation for the youth. Positive activities during non-school  
5 hours help facilitate academic achievement, fulfill recreational  
6 needs, and promote civic responsibilities, as demonstrated by  
7 existing programs on or off campus by the office of youth  
8 services, YMCA, Boys and Girls Club, and other agencies.

9       Although the State provides the A-plus program for lower  
10 grades and high schools have formal athletic programs, there are  
11 no formal non-school hours activities for students in grades six  
12 to eight. One way to amend this oversight is to provide for a  
13 non-school hours activities program coordinator. The  
14 coordinator position will be responsible for the coordination of  
15 all activities held during non-school hours and ensure that all  
16 students have access to quality programs.

17       The purpose of this Act is to establish a task force to  
18 review the State's current activities and programs held during  
19 non-school hours and make recommendations for improvements and  
20 appropriate funds for a non-school hours activities program  
21 coordinator.



1 SECTION 2. Section 302A-408, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§302A-408 [~~After-school and weekend~~] Non-school hours**

4 **programs.** (a) The department and the appropriate county  
5 agencies may establish and regulate [programs of] non-school  
6 hour programs and community-school activities for children,  
7 including but not limited to child-care programs, arts and  
8 crafts, hula, ukulele, and other recreational projects, wherever  
9 feasible, at public school and public park facilities. In  
10 addition to any appropriation of public funds, reasonable fees  
11 established by the agencies operating the programs may be  
12 collected from children enrolled, in the furtherance of  
13 particular programs. The appropriate agencies may obtain from  
14 time to time the services of department of education personnel,  
15 students, and persons in a voluntary or unpaid capacity, exempt  
16 from chapter 76, as may be necessary for carrying out the  
17 purposes of this section, and may regulate their duties, powers,  
18 and responsibilities when not otherwise provided by law. Any  
19 person whose services have been so accepted, while engaged in  
20 the performance of duty under this section, shall be deemed a  
21 state employee or an employee of a political subdivision, as the



1 case may be, in determining the liability of the State or the  
2 political subdivision for the negligent acts of these persons.

3 (b) There is established within the department of  
4 education a non-school hours activities program coordinator  
5 position to coordinate the State's non-school hours programs;  
6 provided that the coordinator shall serve at the pleasure of the  
7 superintendent and may be established as a permanent position  
8 not subject to chapter 76.

9 (c) The department shall establish policies to assist in  
10 the improvement or development of new activities during non-  
11 school hours, including but not limited to the following:

12 (1) Allowing the use of school facilities by public and  
13 private entities;

14 (2) Providing transportation services for students  
15 participating in the non-school hours activities  
16 program; and

17 (3) Authorizing the schools to charge a fee for the use of  
18 their facilities; provided that low income students  
19 may be charged a reduced fee."

20 SECTION 3. **Non-school hours activities task force.** (a)  
21 There is established a non-school hours activities task force  
22 within the department of education. The non-school hours



1 activities task force shall consist of the following members  
2 appointed by the superintendent of education:

- 3 (1) Non-school hours activities program coordinator;
- 4 (2) Athletic directors;
- 5 (3) Two middle school administrators;
- 6 (4) A representative from the office of youth services;
- 7 (5) Two service organizations;
- 8 (6) A union representative;
- 9 (7) A representative from a religious organization that  
10 provides programs during non-school hours;
- 11 (8) A representative from each county government;
- 12 (9) Community college representatives; and
- 13 (10) Student representatives.

14 (b) In carrying out its duties under this section, the  
15 task force may request staff assistance from the department of  
16 education, the department of human services, and other  
17 appropriate agencies.

18 (c) The members of the task force shall serve without  
19 compensation, but shall be reimbursed for expenses necessary for  
20 the performance of their duties.

21 (d) The task force shall:



- 1 (1) Review the types of programs available during non-  
2 school hours in middle schools, including by means of  
3 asset mapping to geographically identify where the  
4 programs are administered and the population being  
5 served;
- 6 (2) Research the preferences of non-school hours  
7 activities of students, parents, and educators;
- 8 (3) Identify programs that attract students who do not  
9 normally participate in activities during non-school  
10 hours;
- 11 (4) Identify public and private agencies willing to  
12 participate in activities during non-school hours;
- 13 (5) Identify vacant or unused school facilities that can  
14 be used for activities during non-school hours by  
15 public or private providers and determine if land or  
16 facilities can be used by private providers to  
17 construct, lease, or rent;
- 18 (6) Determine available and potential resources for  
19 funding the establishment of new activities held  
20 during non-school hours;
- 21 (7) Conduct a transportation study that includes a cost  
22 analysis of providing transportation for public school



1 students to enable them to attend summer school and  
2 extracurricular activities. The study shall include a  
3 breakdown of costs and expenses by departmental school  
4 district, by middle school, and by high school for all  
5 public schools;

6 (8) Establish master plan policies in the department of  
7 education to locate and construct new schools  
8 adjoining or adjacent to existing public or private  
9 recreational facilities when possible; and

10 (9) Recommend legislation for the implementation of a non-  
11 school hours activities pilot program for students in  
12 grades six to eight.

13 (e) The task force shall submit a report of its findings  
14 and recommendations, including recommended legislation, to the  
15 legislature no later than twenty days prior to the convening of  
16 the regular session of 2007, and shall cease to exist on June  
17 30, 2007.

18 SECTION 4. There is appropriated out of the general  
19 revenues of the State of Hawaii the sum of \$ , or so much  
20 thereof as may be necessary for fiscal year 2006-2007, for a  
21 non-school hours activities program coordinator.



1 The sum appropriated shall be expended by the department of  
2 education for the purposes of this Act.

3 SECTION 5. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ , or so much  
5 thereof as may be necessary for fiscal year 2006-2007, for  
6 programs held during non-schools hours for public school  
7 students.

8 The sum appropriated shall be expended by the department of  
9 education for the purposes of this Act.

10 SECTION 6. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 7. This Act shall take effect upon its approval;  
13 provided that sections 4 and 5 shall take effect on July 1,  
14 2006.

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INTRODUCED BY: Norman Sakuma

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**Report Title:**

Department of Education; Non-School Hours Program

**SB. NO. 3053**

**Description:**

Establishes a non-school hours activities program coordinator position in the department of education and establishes a task force to review and recommend improvements to the State's non-school hours activities programs. Appropriates funds.

