

JAN 22 2007

S.B. NO. 1534

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

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

9 "§304A- Hawaiian language teacher loan program; special  
 10 fund. (a) There is established the Hawaiian language teacher  
 11 loan program to be administered by the University of Hawaii, for  
 12 the purpose of providing financial support to students who agree  
 13 to teach the Hawaiian language in the Hawaii public school  
 14 system. The loans shall be an aggregate amount equivalent to  
 15 tuition payments and 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 established the Hawaiian language teacher  
 20 loan program special fund, for the purpose of providing loans  
 21 pursuant to subsection (a). All loans made under this section  
 22 shall bear interest at five per cent simple interest. Repayment



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

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

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

19 The university may adopt rules to implement the Hawaiian  
20 language teacher loan program. The rules shall be adopted  
21 pursuant to chapter 91 but shall be exempt from the public  
22 notice and public hearing requirements.



1        (c) Upon a showing of proof that the individual has  
2 completed a program that qualifies the student to teach the  
3 Hawaiian language in the Hawaii public school system and is  
4 employed as a teacher of the Hawaiian language in the Hawaii  
5 public school system, one-sixth of the total amount of the loan  
6 and interest shall be waived for every year that a loan  
7 recipient teaches the Hawaiian language in the Hawaii public  
8 school system. Liability for repayment of a loan shall be  
9 canceled upon the death or permanent total disability of the  
10 borrower.

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

18        (e) In accordance with chapter 103D, the university may  
19 enter into written contracts with collection agencies for the  
20 purpose of collecting delinquent student loans. All payments  
21 collected, exclusive of a collection agency's commissions, shall  
22 revert, and be credited, to the loan fund. A collection agency



1 that enters into a written contract with the University of  
2 Hawaii for the collection of delinquent student loans pursuant  
3 to this section, may collect a commission from the debtor in  
4 accordance with the terms of, and up to the amounts authorized  
5 in, the written contract."

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

8 "**§302A-1143 Attend school in what district.** (a) All  
9 persons of school age shall be required to attend the school of  
10 the district in which they reside, unless enrolled in a Hawaiian  
11 language medium education program, or unless it appears to the  
12 department to be desirable to allow the attendance of pupils at  
13 a school in some other district, in which case the department  
14 may grant this permission.

15 (b) In implementing the optional permission of subsection  
16 (a), relating to desirable attendance in a school in some other  
17 district, the department shall give first priority to pupils who  
18 wish to attend schools that offer Hawaiian language courses so  
19 long as their school in the district in which they reside does  
20 not yet offer Hawaiian language courses."

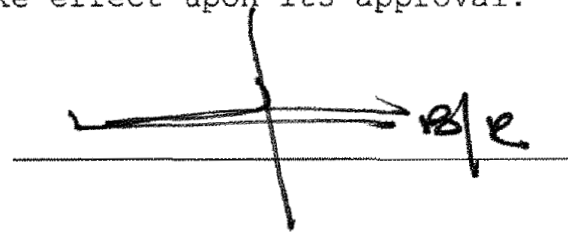
21 SECTION 5. New statutory material is underscored.



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

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INTRODUCED BY:

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**Report Title:**

Department of Education

**Description:**

Establishes requirements to teach Hawaiian language courses in the public schools. Establishes a loan fund for students wishing to teach Hawaiian language. Gives priority to district transfer requests from pupils wishing to take Hawaiian language courses.

