
A BILL FOR AN ACT

RELATING TO NON-SCHOOL-HOUR PROGRAMS.

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

PART I. NON-SCHOOL-HOUR DEPARTMENT OF EDUCATION PROGRAMS

1 SECTION 1. The legislature finds that many children are
2 left unsupervised in the mornings and afternoons before and
3 after school. Nationally, nearly two-thirds of school-age
4 children are in homes where both parents work, but few
5 communities have a comprehensive system that provides before-
6 and after-school care for children. Currently, Hawaii has a
7 successful A+ program for students in grades K-6, but does not
8 have a similar program for older children who also need adult
9 supervision. Statistics show that the rates of juvenile crime,
10 drug use, and experimentation with tobacco, alcohol, and sexual
11 activity increase among unsupervised older children during non-
12 school hours. The legislature further finds that there is
13 widespread agreement that it is important to establish safe and
14 structured learning environments for school-aged children during
15 non-school hours.
16



1 The purpose of this part is to appropriate funds for non-
2 school-hour programs for school-aged children.

3 SECTION 2. There is appropriated out of the federal
4 temporary assistance for needy families program funds the sum of
5 \$ or so much thereof as may be necessary for fiscal
6 year 2008-2009 for non-school-hour programs for kindergarten
7 through twelfth grades that are administered by the department
8 of education.

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

11 SECTION 3. There is appropriated out of the federal
12 temporary assistance for needy families program funds the sum of
13 \$ or so much thereof as may be necessary for fiscal
14 year 2008-2009 for the office of youth services for non-school-
15 hour programs for children and youth enrolled in school.

16 The sum appropriated shall be expended by the department of
17 human services for the purposes of this part.

18 SECTION 4. There is appropriated out of the federal
19 temporary assistance for needy families program funds the sum of
20 \$ or so much thereof as may be necessary for fiscal
21 year 2008-2009 for non-school-hour programs for children and
22 youth enrolled in school.



1 The sum appropriated shall be expended by the department of
2 parks and recreation of each county, subject to the following
3 allocation percentages, which are based on the number of
4 children eighteen years of age or younger residing in each
5 county; provided that no funds shall be disbursed unless each
6 county provides matching funds on a dollar-for-dollar basis as
7 follows:

- 8 (1) Seventy-one per cent, city and county of Honolulu;
- 9 (2) Thirteen per cent, county of Hawaii;
- 10 (3) Eleven per cent, county of Maui; and
- 11 (4) Five per cent, county of Kauai.

12 SECTION 5. Moneys allocated for the purposes of this part
13 shall not reduce existing funding for non-school-hour programs.
14 Moneys shall be awarded by the expending agencies only to non-
15 school-hour programs that demonstrate a commitment to partnering
16 with the public and private sectors and involve youth as active
17 participants in all phases of program planning, implementation,
18 and evaluation. All programs that receive moneys shall meet
19 each quarter with their community partners for the purposes of
20 program evaluation and improvement.

21 SECTION 6. The department of education, the office of
22 youth services, and the counties' parks and recreation



1 departments shall convene annually to share information on the
2 best practices and outcomes of non-school-hour programs. The
3 office of youth services shall submit to the legislature an
4 annual report on the programs funded under this part no later
5 than twenty days prior to the convening of each regular session,
6 beginning with the regular session of 2009.

7 **PART II. COUNTY OF HAWAII AFTER-SCHOOL PROGRAMS**

8 SECTION 7. The island of Hawaii encompasses an area of
9 4,028 square miles and has a population of 167,000 residents.
10 The island's population is spread over an area twice the size of
11 all the other islands combined which poses unique geographical
12 challenges in the provision of programs and services to island
13 residents.

14 Rural communities can lack the necessary infrastructure to
15 support and implement beneficial programs. Youth in rural
16 communities can face challenges in remaining drug-free, engaged,
17 and involved in positive activities because of the lack of
18 transportation, facilities, and educational alternatives during
19 afternoon and evening hours. Families have to travel
20 significant distances to areas of employment that are clustered
21 in the South Kohala, Kona, and Hilo areas. This results in many
22 children being unsupervised after school. Drugs and substance



1 abuse, primarily crystal methamphetamine, are taking a heavy
2 toll on the children and families in these communities. The
3 State remains committed to ensuring the safety and health of our
4 children in rural areas.

5 Schools have the necessary infrastructure to provide
6 support to youth, families, and communities, including
7 classrooms, restrooms, parking areas, computer labs, gyms, and
8 parks. In some rural communities, the only facilities for
9 meetings and activities are the schools, which often remain
10 closed during the afternoon and evening hours. Schools are the
11 center of our communities. Through partnerships among the
12 department of education, the county, local businesses, and
13 community organizations, students can be given the opportunity
14 to remain at school to participate in non-school-hour
15 recreational and educational programs. Increasing the positive
16 alternatives available to our youth will provide untold benefits
17 to our community.

18 Establishing the Hawaii safe haven demonstration program
19 will allow communities to become engaged in the education and
20 support of its students. This demonstration program will permit
21 schools to remain open after school with services to be provided
22 by local businesses, organizations, and community volunteers.



1 It will also allow for the collaboration, cooperation, and
2 collective commitment of rural communities towards nurturing,
3 guiding, and supporting youth and their families. The safe
4 haven demonstration program is planned for implementation in the
5 county of Hawaii as a model to be expanded to other islands
6 following the successful demonstration of this program. One
7 school will be selected by each department of education area
8 complex superintendent as a demonstration site. A total of
9 three schools will be part of this program during the first year
10 of operation.

11 The legislature finds that unacceptable rates of adolescent
12 substance abuse, juvenile delinquency, teenage pregnancies, and
13 other negative socio-economic statistics are occurring in Hawaii
14 communities. The Department of Justice Office of Juvenile
15 Justice and Delinquency Prevention has clearly stated that
16 community programs that are most effective in addressing
17 negative behaviors amongst our youth are programs that reduce
18 the risk factors and increase the protective factors in our
19 community. The Safe Haven demonstration program will accomplish
20 both of those goals.



1 The purpose of this part is to appropriate funds for the
2 implementation of the safe haven demonstration program in the
3 county of Hawaii.

4 SECTION 8. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$ or so
6 much thereof as may be necessary for fiscal year 2008-2009 for
7 the implementation of the safe haven model demonstration program
8 in the county of Hawaii.

9 The sum appropriated shall be expended by the County of
10 Hawaii for the purposes of the part.

11 **PART III. NON-SCHOOL-HOUR PROGRAMS TASK FORCE**

12 SECTION 9. The legislature is committed to providing
13 excellence in education in Hawaii. Under Act 51, Session Laws
14 of Hawaii 2004, the Reinventing Education Act of 2004, the
15 legislature found that "[a]lthough the State's students,
16 parents, teachers, school administrators, departmental staff,
17 and other educational stakeholders strive to achieve excellence,
18 their efforts will never be completely successful until various
19 aspects of the system around them are improved."

20 The legislature reiterates its support for efforts by the
21 department of education to improve Hawaii's schools not only to
22 enhance the academic achievement, safety, well being, and civic



1 commitment of students, but to also meet the evolving needs of
2 today's communities. Those needs include after-school programs
3 that help facilitate academic achievement, fulfill recreational
4 needs, and promote civic responsibilities, as demonstrated by
5 existing programs held on and off campus by the office of youth
6 services, the Young Men's Christian Association, the Boys and
7 Girls Club, and other agencies.

8 The State's after-school programs provide safe and
9 supervised after-school education, enrichment, and recreation
10 for students. Research demonstrates that youth who participate
11 in after-school programs are less likely to drink alcohol,
12 smoke, use drugs, and drop out of school.

13 Although the State provides the A Plus program for students
14 in lower grades and formal athletic programs in high schools,
15 there are no formal non-school-hour activities in public schools
16 for students in grades six to twelve. One way to remedy this
17 oversight is to provide for a non-school-hour activities program
18 coordinator. The coordinator position would be responsible for
19 the coordination of all non-school-hour activities and ensure
20 that all students have access to quality programs.

21 The purpose of this part is to improve non-school-hour
22 programs by establishing a task force to review and recommend



1 improvements to the State's current non-school-hour activities
2 programs and appropriating funds for non-school-hour activities
3 and a program coordinator.

4 SECTION 10. (a) There is established a non-school-hour
5 activities task force within the department of education. The
6 non-school-hour activities task force shall consist of the
7 following members appointed by the superintendent of education:

- 8 (1) The non-school-hour activities program coordinator;
- 9 (2) Athletic directors;
- 10 (3) Two middle school administrators;
- 11 (4) Two high school administrators;
- 12 (5) A representative from the office of youth services;
- 13 (6) Two representatives from service organizations;
- 14 (7) A union representative;
- 15 (8) A representative from a faith-based organization;
- 16 (9) A representative from each county;
- 17 (10) Community college representatives;
- 18 (11) Student representatives; and
- 19 (12) Additional members that may be determined by the
20 superintendent.

21 (b) In carrying out its duties under this section, the
22 task force may request staff assistance from the department of



1 education, the department of human services, and other
2 appropriate agencies.

3 (c) The members of the task force shall serve without
4 compensation, but shall be reimbursed for the expenses,
5 including travel expenses, necessary for the performance of
6 their duties.

7 (d) The task force shall:

- 8 (1) Review the types of non-school-hour programs available
9 in middle schools, including by means of asset mapping
10 to geographically identify where the programs are
11 administered and the population being served;
- 12 (2) Research the preferences of students, parents, and
13 educators regarding non-school-hour activities;
- 14 (3) Identify programs that attract students who do not
15 normally participate in non-school-hour activities;
- 16 (4) Identify public and private agencies willing to
17 participate in non-school-hour activities;
- 18 (5) Identify vacant or unused public school or public park
19 facilities that can be used for non-school-hour
20 activities by public or private providers and
21 determine if the land or facilities can be used by
22 private providers to construct, lease, or rent;



- 1 (6) Determine available and potential resources for
- 2 funding the establishment of new non-school-hour
- 3 activities;
- 4 (7) Establish a master plan to locate and construct new
- 5 schools adjoining or adjacent to existing public or
- 6 private recreational facilities whenever possible; and
- 7 (8) Recommend legislation for the implementation of an
- 8 after-school, weekend, and semester break activities
- 9 pilot program for students in grades six to twelve.

10 (e) The task force shall submit a report of its findings
 11 and recommendations, including proposed legislation, to the
 12 legislature no later than twenty days prior to the convening of
 13 the regular session of 2009 and shall cease to exist on June 30,
 14 2009.

15 SECTION 11. Section 302A-408, Hawaii Revised Statutes, is
 16 amended to read as follows:

17 "**§302A-408** ~~[After school and weekend]~~ Non-school-hour
 18 **programs.** (a) The department and the appropriate county
 19 agencies may establish and regulate non-school-hour programs.
 20 ~~[of]~~, including after-school ~~[and]~~, weekend, and semester break
 21 community-school activities for children, including but not
 22 limited to ~~[child care programs, arts and crafts, hula,~~



1 ~~ukulele,~~ academic, technology, visual arts, performing arts,
2 athletic, cultural, and other recreational [~~projects,~~] programs,
3 wherever feasible, at public school and public park facilities.
4 In addition to any appropriation of public funds, reasonable
5 fees established by the agencies operating the programs may be
6 collected from children enrolled, in the furtherance of
7 particular programs. The appropriate agencies may obtain from
8 time to time the services of department personnel, students, and
9 persons in a voluntary or unpaid capacity, exempt from chapter
10 76, as may be necessary for carrying out the purposes of this
11 section, and may regulate their duties, powers, and
12 responsibilities when not otherwise provided by law. Any person
13 whose services have been so accepted, while engaged in the
14 performance of duty under this section, shall be deemed a state
15 employee or an employee of a political subdivision, as the case
16 may be, in determining the liability of the State or the
17 political subdivision for the negligent acts of these persons.

18 (b) The department may:

19 (1) Allow the use of school facilities by public and
20 private entities to administer a non-school-hour
21 program;



- 1 (2) Provide transportation services for students
- 2 participating in the non-school-hour programs; and
- 3 (3) Authorize schools to charge a fee for the use of their
- 4 facilities; provided that students from low-income
- 5 households may be charged a reduced fee.

6 (c) There is established within the department a non-
 7 school-hour activities program coordinator position to
 8 coordinate the State's non-school-hour programs; provided that
 9 the coordinator shall serve at the pleasure of the
 10 superintendent and the position may be established as a
 11 permanent position not subject to chapter 76."

12 SECTION 12. There is appropriated out of the general
 13 revenues of the State of Hawaii the sum of \$ or so
 14 much thereof as may be necessary for fiscal year 2008-2009 for a
 15 non-school-hour activities program coordinator.

16 The sum appropriated shall be expended by the department of
 17 education for the purposes of this part.

18 SECTION 13. There is appropriated out of the general
 19 revenues of the State of Hawaii the sum of \$ or so
 20 much thereof as may be necessary for fiscal year 2008-2009 for
 21 non-school-hour programs, which shall include after-school,
 22 weekend, and semester break programs.



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

3 SECTION 14. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 15. This Act shall take effect upon its approval;
6 provided that sections 2, 3, 4, 8, 12, and 13 shall be effective
7 on July 1, 2008.



Report Title:

DOE; Non-school-hour Programs; Safe Haven; Task Force;
Coordinator; Appropriations

Description:

Appropriates TANF funds for non-school-hour programs to be expended by the DOE, OYS, and the counties; appropriates funds for the Safe Haven after-school program in Hawaii county; establishes a task force on non-school-hour programs; and appropriates general funds for non-school-hour activities and a program coordinator. (SD1)

