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# A BILL FOR AN ACT

RELATING TO NON-SCHOOL-HOUR PROGRAMS.

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

1           **PART I. NON-SCHOOL-HOUR DEPARTMENT OF EDUCATION PROGRAMS**  
2           SECTION 1. The legislature finds that many children are  
3 left unsupervised in the mornings and afternoons before and  
4 after school. Nationally, nearly two-thirds of school-age  
5 children are in homes where both parents work, but few  
6 communities have a comprehensive system that provides before-  
7 and after-school care for children. Currently, Hawaii has a  
8 successful A+ program for students in grades K-6, but does not  
9 have a similar program for older children who also need adult  
10 supervision. Statistics show that the rates of juvenile crime,  
11 drug use, and experimentation with tobacco, alcohol, and sexual  
12 activity increase among unsupervised older children during non-  
13 school hours. These problems have been identified by and  
14 qualify for federal funding programs using temporary assistance  
15 for needy families block grants. The legislature further finds  
16 that there is widespread agreement that it is important to  
17 establish safe, structured, and supervised learning environments



1 for school-aged children during non-school hours to avoid or  
2 prevent these problems.

3 The purpose of this part is to appropriate temporary  
4 assistance for needy families program funds to supervise school-  
5 aged children in non-school-hour programs to address problems of  
6 juvenile crime, drug use, and experimentation with tobacco,  
7 alcohol, and sexual activity.

8 SECTION 2. There is appropriated out of the federal  
9 temporary assistance for needy families program funds the sum of  
10 \$ or so much thereof as may be necessary for fiscal  
11 year 2008-2009 for non-school-hour programs to provide  
12 supervision of kindergarten through twelfth graders under the  
13 department of education.

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

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

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



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

6 The sum appropriated shall be expended by the department of  
7 human services subject to the following allocation percentages,  
8 which are based on the number of children eighteen years of age  
9 or younger residing in each county; provided that no funds shall  
10 be disbursed unless each county provides matching funds on a  
11 dollar-for-dollar basis as follows:

- 12 (1) Seventy-one per cent, city and county of Honolulu;
- 13 (2) Thirteen per cent, county of Hawaii;
- 14 (3) Eleven per cent, county of Maui; and
- 15 (4) Five per cent, county of Kauai.

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



1 each quarter with their community partners for the purposes of  
2 program evaluation and improvement.

3 SECTION 6. The department of education, the office of  
4 youth services, and the counties' parks and recreation  
5 departments shall convene annually to share information on the  
6 best practices and outcomes of non-school-hour programs. The  
7 office of youth services shall submit to the legislature an  
8 annual report on the programs funded under this part no later  
9 than twenty days prior to the convening of each regular session,  
10 beginning with the regular session of 2009.

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

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

18 Rural communities sometimes lack the necessary  
19 infrastructure to support and implement beneficial programs.  
20 Youth in rural communities can face challenges in remaining  
21 drug-free, engaged, and involved in positive activities because  
22 of the lack of transportation, facilities, and educational



1 alternatives during afternoon and evening hours. Families have  
2 to travel significant distances to areas of employment that are  
3 clustered in the South Kohala, Kona, and Hilo areas. This  
4 results in many children being unsupervised after school. Drugs  
5 and substance abuse, primarily crystal methamphetamine, are  
6 taking a heavy toll on the children and families in these  
7 communities. The State remains committed to ensuring the safety  
8 and health of our children in rural areas.

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



1           Establishing the Hawaii safe haven demonstration program  
2 will allow communities to become engaged in the education and  
3 support of its students. This demonstration program will permit  
4 schools to remain open after school with services to be provided  
5 by local businesses, organizations, and community volunteers.  
6 It will also allow for the collaboration, cooperation, and  
7 collective commitment of rural communities towards nurturing,  
8 guiding, and supporting youth and their families. The safe  
9 haven demonstration program is planned for implementation in the  
10 county of Hawaii as a model to be expanded to other islands  
11 following the successful demonstration of this program. One  
12 school will be selected by each department of education area  
13 complex superintendent as a demonstration site. A total of  
14 three schools will be part of this program during the first year  
15 of operation.

16           The legislature finds that unacceptable rates of adolescent  
17 substance abuse, juvenile delinquency, teenage pregnancies, and  
18 other negative socio-economic statistics are occurring in Hawaii  
19 communities. The Department of Justice, Office of Juvenile  
20 Justice and Delinquency Prevention has clearly stated that  
21 community programs most effective in addressing negative  
22 behaviors amongst our youth are programs that reduce the risk



1 factors and increase the protective factors in our community.  
2 The Safe Haven demonstration program will accomplish both of  
3 those goals.

4 The purpose of this part is to appropriate funds for the  
5 implementation of the safe haven demonstration program in the  
6 county of Hawaii.

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

12 The sum appropriated shall be expended by the county of  
13 Hawaii for the purposes of the part.

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

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



1           The legislature reiterates its support for efforts by the  
2 department of education to improve Hawaii's schools not only to  
3 enhance the academic achievement, safety, well-being, and civic  
4 commitment of students, but to also meet the evolving needs of  
5 today's communities. Those needs include after-school programs  
6 that help facilitate academic achievement, fulfill recreational  
7 needs, and promote civic responsibilities, as demonstrated by  
8 existing programs held on and off campus by the office of youth  
9 services, the Young Men's Christian Association, the Boys and  
10 Girls Club, and other agencies.

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

16           Although the State provides the A Plus program for students  
17 in lower grades and formal athletic programs in high schools,  
18 there are no formal non-school-hour activities in public schools  
19 for students in grades six to twelve.

20           The purpose of this part is to improve non-school-hour  
21 programs by establishing a task force to review and recommend  
22 improvements to the State's current non-school-hour activities





1 programs and to appropriate funds for non-school-hour activities  
2 and an educational specialist II position.

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

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

20 (b) In carrying out its duties under this section, the  
21 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 ~~[ef]~~, 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 an  
7                    educational specialist II position to coordinate the State's  
8                    non-school-hour programs; provided that the education specialist  
9                    shall serve at the pleasure of the superintendent and the  
10                   position may be established as a permanent position not subject  
11                   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  
15 an education specialist II position.

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 take effect  
7 on July 1, 2008.



**Report Title:**

DOE; Non-school-hour Programs; Safe Haven; Task Force;  
Educational Specialist II; Appropriations

**Description:**

Appropriates TANF funds for non-school-hour programs;  
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 an educational specialist II. (SB2822 SD2)

