



GOV. MSG. NO. 626

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

June 15, 2010

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fifth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 15, 2010, the following bill was signed into law:

HB2486 HD2 SD2 CD1

A BILL FOR AN ACT  
RELATING TO EDUCATION.  
**ACT 167 (10)**

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Aiona, Jr.", written over a horizontal line.

JAMES R. AIONA, JR.

JAMES R. AIONA JR.

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**ACTING GOVERNOR**

on JUN 15 2010

HOUSE OF REPRESENTATIVES  
TWENTY-FIFTH LEGISLATURE, 2010  
STATE OF HAWAII

**ACT 167**

**H.B. NO.** 2486  
H.D. 2  
S.D. 2  
C.D. 1

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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 PART I

2 SECTION 1. Act 51, Session Laws of Hawaii 2004, stated,  
3 "Ultimately all education reform must be driven by the needs of  
4 students. Students are the primary clients served by the public  
5 education system and they must be served well by providing them  
6 with access to the tools they need to succeed, a nurturing  
7 environment conducive to learning, and supplementary  
8 opportunities for growth that facilitate their development."

9 Accordingly, especially in light of the instructional hours  
10 lost due to furloughs, the purpose of this Act is to require the  
11 phase-in of implementation of a certain number of student  
12 instructional hours at all public schools, except charter  
13 schools, as follows:

14 (1) Part II requires the department of education to  
15 maximize the amount of student instructional hours  
16 provided to students under relevant collective  
17 bargaining agreements in effect during the 2010-2011  
18 school year;



- 1           (2) Part III requires the establishment of a certain  
2           number of student instructional hours per school year  
3           for elementary and secondary school grades, for the  
4           2011-2013 school years, and for the 2013-2015 school  
5           years;
- 6           (3) Part IV requires the department of education to, with  
7           the board of education and Office of the Governor, and  
8           in consultation with representatives of the affected  
9           collective bargaining units, submit to the  
10          legislature, no later than twenty days prior to the  
11          convening of the 2012 regular session, a plan to  
12          provide students with a higher number of student  
13          instructional hours per school year for elementary and  
14          secondary school grades, for future school years; and
- 15          (4) Part V requires the department of education to  
16          consider pick-up and drop-off times that optimize its  
17          transportation services while minimizing costs to the  
18          State, if implementation of such student instructional  
19          hours results in varying schedules for the  
20          transportation of students.  
21



## 1 PART II

2 SECTION 2. The department of education shall maximize the  
3 amount of student instructional hours provided at all public  
4 schools, except charter schools, under relevant collective  
5 bargaining agreements in effect during the 2010-2011 school  
6 year. For purposes of this section, "student instructional  
7 hours" shall have the same meaning as in section 302A-  
8 Hawaii Revised Statutes.

## 9 PART III

10 SECTION 3. Chapter 302A, Hawaii Revised Statutes, is  
11 amended by adding a new section to be appropriately designated  
12 and to read as follows:

13 "§302A- School year; instructional time. (a)  
14 Notwithstanding any other law to the contrary, for the 2011-2013  
15 school years, all public schools, except charter schools, shall  
16 implement a school year of one hundred eighty days, excluding  
17 professional development days and other non-instructional days  
18 negotiated pursuant to chapter 89, that shall include:

- 19 (1) Nine hundred fifteen student instructional hours for  
20 the elementary school grades; and  
21 (2) Nine hundred ninety student instructional hours for  
22 the secondary school grades.





1 forty student instructional hours for both elementary and  
2 secondary school grades at all public schools, except charter  
3 schools, for school years beginning with the 2015-2016 school  
4 year. For purposes of this section, "student instructional  
5 hours" shall have the same meaning as in section 302A- ,  
6 Hawaii Revised Statutes.

7 PART V

8 SECTION 5. Section 302A-406, Hawaii Revised Statutes, is  
9 amended by amending subsection (a) to read as follows:

10 "(a) The department may provide suitable transportation to  
11 and from school and for educational field trips for all children  
12 in grades kindergarten to twelve and in special education  
13 classes. The department shall adopt such policy, procedure, and  
14 program as it deems necessary to provide suitable  
15 transportation. In formulating the policy, procedure, and  
16 program, the department shall consider the school district; the  
17 school attendance area in which a school child normally resides;  
18 the distance the school child lives from the school; the  
19 availability of public carriers or other means of  
20 transportation; the frequency, regularity, and availability of  
21 public transportation; and the grade level, physical handicap,  
22 or special learning disability of a school child, and it may



1 also consider such conditions and circumstances unique or  
2 peculiar to a county or area. If the implementation of student  
3 instructional hours pursuant to section 302A- results in  
4 varying schedules for the transportation of students, the  
5 department shall consider pick-up and drop-off times that  
6 optimize the department's transportation services while  
7 minimizing costs to the State."

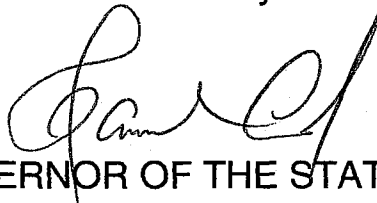
8 PART VI

9 SECTION 6. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun before its effective date.

12 SECTION 7. New statutory material is underscored.

13 SECTION 8. This Act shall take effect upon its approval.

APPROVED this 15 day of JUN , 2010



GOVERNOR OF THE STATE OF HAWAII

JAMES R. AIONA JR.

ACTING GOVERNOR

