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## A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1           SECTION 1. Chapter 302A, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§302A-A Sex education; notice and opt-out. (a) The  
5 department, public school, or teacher, shall provide at least  
6 ten working days of written notice to parents, guardians, or  
7 other persons having custody or control of the pupil prior to  
8 sex education instruction in public schools. The written notice  
9 shall include information on the content of the instruction  
10 given, the entity providing the instruction if not a full-time  
11 employee of the public school the instruction is intended to be  
12 delivered, and the date, time, and location of the instruction.  
13 Failure to provide such written notice shall constitute a  
14 release for the pupil.

15           (b) The department shall provide for the release of, and  
16 shall release, any pupil in any public school from attendance at  
17 a public school on such days and during such school hours when a  
18 public school is conducting sex education instruction. The



1 release shall be requested in writing by a parent, guardian, or  
 2 other person having custody or control of the pupil, and shall  
 3 be incorporated into the written notice given to a parent,  
 4 guardian, or other person having custody or control of the  
 5 pupil, as required by subsection (a) of this section. Release  
 6 from attendance at sex education instruction shall not  
 7 negatively impact attendance count at the public schools for all  
 8 purposes where attendance forms the basis of computation."

9 SECTION 2. New statutory material is underscored.

10 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

*Ray Hanover*

*JTE*

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JAN 27 2010



**Report Title:**

Education

**Description:**

Mandates provision of written notice and release from sex education classes for pupils.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

