

JAN 22 2010

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Education represents hope and opportunity for
2 every child, and is the key to Hawaii's future. Our children
3 will become our workforce and our leaders, and will, one day, be
4 charged with leading Hawaii toward greater prosperity. Our
5 schools are the incubators of the skills, knowledge, creativity,
6 and innovation that are essential to preparing today's students
7 for tomorrow's challenges, and realizing upon this goal.

8 In recognition of the value of our children to this
9 community, the legislature renews its commitment to our children
10 and their education. We affirmatively acknowledge that our
11 children have certain fundamental educational rights that
12 require declaration and protection.

13 The purpose of this Act, therefore, is to institute a
14 student bill of rights, together with a structure to determine
15 the State's effectiveness in upholding these educational rights.



1 SECTION 2. 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- Student bill of rights. (a) Students enrolled
5 in public elementary, secondary, and high schools shall have the
6 following rights:

7 (1) Students shall be entitled to safe and secure schools;

8 (2) Students shall be entitled to proper nutrition during
9 lunch time on instruction days;

10 (3) Students shall be entitled to quality, innovative
11 education that keeps pace with society's evolving
12 needs;

13 (4) Students shall be entitled to an educational system
14 that supports high-quality teaching and emphasizes
15 student growth and achievement;

16 (5) Each school year, students shall be provided with a
17 minimum of one hundred and eighty days of instruction;
18 and

19 (6) Students shall be provided independent representation
20 in the form of an appointed public high school student
21 during those collective bargaining negotiations that
22 impact the public schools. The student representative



1 shall be a non-voting participant of the collective
2 bargaining process.

3 (b) The student bill of rights shall be monitored by an
4 independent special master who shall be appointed jointly by the
5 speaker of the house of representatives and the president of the
6 senate. Each special master shall serve a term of two years,
7 and may serve up to two consecutive terms. Each term shall
8 begin on August 1 of every even-numbered year.

9 (c) The special master shall, on an annual basis, provide
10 a "Student Rights Report Card," grading the department of
11 education's effectiveness in upholding the student bill of
12 rights and offering specific comments and recommendations. A
13 grade shall be given for each right, individually, on the
14 following scale: "A" for excellent, "B" for above average, "C"
15 for satisfactory, "D" for less than satisfactory, and "F" for
16 failing.

17 (d) Every five years, the special master shall conduct a
18 study examining the adequacy of the department of education's
19 funding and resources.

20 (e) The special master shall be provided with timely
21 access to all personnel, data, and records of the department of
22 education necessary to effectuate the special master's duties.



1 (f) The special master shall serve without compensation,
2 but shall be reimbursed for all reasonable expenses, including
3 travel, incurred in the performance of the special master's
4 duties.

5 (g) The special master shall provide a written report to
6 the governor and the legislature no later than thirty days prior
7 to the start of each legislative session, including an
8 assessment of the State's effectiveness in upholding the student
9 bill of rights and recommendations for protecting the rights on
10 a continuing basis. The report shall also include the "Student
11 Rights Report Card."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14

INTRODUCED BY:

Norman Salama



Report Title:

Student Bill of Rights

Description:

Provides a specific set of student rights and creates a mechanism by which the Department of Education's success at upholding these rights may be monitored and improved upon.

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