



GOV. MSG. NO. 1154

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

May 18, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

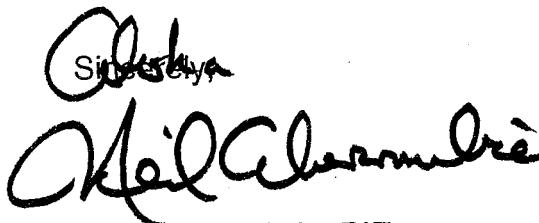
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on May 18, 2011, the following bill was signed into law:

HB945 HD2 SD1 CD1

RELATING TO EDUCATION
ACT 052 (11)



NEIL ABERCROMBIE
Governor, State of Hawaii

HOUSE OF REPRESENTATIVES
TWENTY-SIXTH LEGISLATURE, 2011
STATE OF HAWAII

H.B. NO. 945
H.D. 2
S.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Section 302A-251, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~[F]~~§302A-251~~[F]~~ School year; instructional time. (a)
4 Notwithstanding any other law to the contrary, ~~[fex]~~ beginning
5 with the 2011-2013 school years, all public schools, ~~[except]~~
6 excluding charter schools~~[7]~~ and multi-track public schools,
7 shall implement a school year of one hundred eighty days,
8 excluding professional development days and other non-
9 instructional days negotiated pursuant to chapter 89~~[, that~~
10 ~~shall include:~~

- 11 ~~(1) Nine hundred fifteen student instructional hours for~~
12 ~~the elementary school grades; and~~
13 ~~(2) Nine hundred ninety student instructional hours for~~
14 ~~the secondary school grades].~~

15 (b) Notwithstanding any other law to the contrary:

- 16 (1) For the 2011-2012 school year, fifty per cent of all
17 public elementary schools in the State, excluding
18 charter schools and multi-track public schools, shall



1 implement a school year that includes nine hundred
2 fifteen student instructional hours; and

3 (2) Beginning with the 2012-2013 school year, all public
4 elementary schools in the State, excluding charter
5 schools and multi-track public schools, shall
6 implement a school year that includes nine hundred
7 fifteen student instructional hours.

8 (c) Notwithstanding any other law to the contrary, for the
9 2014-2016 school years, all public secondary schools, excluding
10 charter schools and multi-track public schools, shall implement
11 a school year that includes nine hundred ninety student
12 instructional hours.

13 [~~b~~] (d) Notwithstanding any other law to the contrary,
14 for the [2013-2015] 2016-2018 school years, all public schools,
15 [~~except~~] excluding charter schools[~~r~~] and multi-track public
16 schools, shall implement a school year of one hundred eighty
17 days, excluding professional development days and other non-
18 instructional days negotiated pursuant to chapter 89, that shall
19 include one thousand eighty student instructional hours for both
20 elementary and secondary school grades.

21 (e) The board, in its discretion, may grant a waiver to
22 any individual school subject to the student instructional hours



1 or one hundred eighty day school year requirements in this
2 section. The board shall adopt policies and procedures to grant
3 a waiver under this subsection.

4 ~~[(e)]~~ (f) For purposes of this section, "student
5 instructional hours" means student learning time during which
6 students are engaged in learning activities including regularly-
7 scheduled instruction and learning assessments within the
8 curriculum, and does not include lunch, recess, or passing time.

9 (g) The department of education, with the board of
10 education and office of the governor, and in consultation with
11 representatives of the affected collective bargaining units,
12 shall submit to the legislature no later than twenty days prior
13 to the convening of the regular sessions of 2013, 2014, 2015,
14 2016, 2017, and 2018, a report on its progress and efforts to
15 meet the requirements of subsections (a), (b), (c), and (d)."

16 SECTION 2. Act 167, Session Laws of Hawaii 2010, is
17 amended by amending section 4 to read as follows:

18 "SECTION 4. The department of education shall, with the
19 board of education and office of the governor, and in
20 consultation with representatives of the affected collective
21 bargaining units, submit to the legislature, no later than
22 twenty days prior to the convening of the regular session of



1 ~~[2012,]~~ 2015, a plan to implement beginning with the 2018-2019
2 school year, for elementary and secondary school grades at all
3 public schools, excluding charter schools and multi-track public
4 schools, a school year of one hundred ninety days, excluding
5 professional development days and other non-instructional days
6 negotiated pursuant to chapter 89, Hawaii Revised Statutes, that
7 shall include one thousand one hundred forty student
8 instructional hours [~~for both elementary and secondary school~~
9 ~~grades at all public schools, except charter schools, for school~~
10 ~~years beginning with the 2015-2016 school year~~].

11 For purposes of this section, "student instructional hours"
12 shall have the same meaning as in section [~~302A~~], 302A-251,
13 Hawaii Revised Statutes."

14 SECTION 3. The department of education shall:

15 (1) Re-examine what constitutes student instructional
16 hours, determine current levels of student
17 instructional hours at each school, and assess the
18 ability of all schools to comply with the requirements
19 of section 302A-251(a), (b), and (c), Hawaii Revised
20 Statutes; and

21 (2) Report its findings under paragraph (1) to the
22 legislature no later than September 1, 2011.



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.

APPROVED this 18th day of May, 2011

Neil Abernethy

GOVERNOR OF THE STATE OF HAWAII

