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# A BILL FOR AN ACT

RELATING TO PUBLIC SCHOOL CURRICULUM OPT-OUT POLICY.

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

1           SECTION 1. The legislature finds that parents and legal  
2 guardians of public school students do not always agree with  
3 specific sections of the standards-based curriculum taught in  
4 public schools. The legislature further finds that a decision  
5 to opt-out from a specific lesson or activity must be respected  
6 by school administrators and teaching staff alike.

7           While an opt-out policy currently exists within the board  
8 of education, and an opt-out process exists within the  
9 department of education, the legislature finds that the  
10 codification of a uniform set of opt-out guidelines and  
11 standards will promote transparency and better serve the public.

12           The intent of this measure is to afford parents and legal  
13 guardians with additional discretion in potentially  
14 controversial school matters, and to ensure that opt-out  
15 students are not negatively impacted as a result.

16           The purpose of this Act is to place in statute an opt-out  
17 provision for parents and legal guardians who wish to exclude  
18 their children from participating in a specific lesson or



1 activity involving standards-based curriculum, and to require  
2 that an alternative standards-based curriculum be established  
3 for opt-out students.

4 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
5 amended by adding a new section to subpart B of part II to be  
6 appropriately designated and to read as follows:

7 "§302A- Standards-based curriculum; opt-out alternative.

8 (a) A parent or legal guardian may opt-out their child from a  
9 specific standards-based curriculum lesson or activity by  
10 submitting a completed opt-out form to the school or school  
11 principal no later than thirty days prior to the curriculum  
12 implementation date.

13 (b) All opt-out students shall participate in an  
14 alternative standards-based curriculum lesson or activity,  
15 provided that:

16 (1) A parent or legal guardian who has decided to opt-out  
17 their child from a specific standards-based curriculum lesson or  
18 activity shall have the right to object to any proposed  
19 alternative standards-based curriculum lesson or activity; and

20 (2) The parent or legal guardian shall work directly with  
21 the school principal to develop an equitable, individualized  
22 solution that addresses the parent or legal guardian's concerns.



1        (c) For any standards-based curriculum that is implemented  
2 pursuant to section 302A-321, an alternative standards-based  
3 curriculum shall be developed and made available for opt-out  
4 students. An alternative standards-based curriculum shall:

5        (1) Incorporate lessons and activities that are of equal  
6 academic value to their non-alternative standards-  
7 based curriculum counterpart; and

8        (2) Ensure that participation in any opt-out lesson or  
9 activity does not compromise, undermine, or threaten  
10 the educational standing of an opt-out student.

11        (d) Any alternative standards-based curriculum developed  
12 under this section shall be subject to the requirements set  
13 forth in section 302A-321."

14        SECTION 3. Section 302A-1103, Hawaii Revised Statutes, is  
15 amended to read as follows:

16        "**§302A-1103 Principal; authority and responsibility.** The  
17 role of the principal shall include but not be limited to  
18 overseeing the day-to-day management of the school, the primary  
19 function of which is to develop and deliver instructional  
20 services to students in accordance with statewide educational  
21 policy and to enable students to meet or exceed statewide  
22 academic standards. The principal shall:





- 1 (D) The use of school complex-based personnel and
- 2 contractors who divide their time between more
- 3 than one school in a school complex is
- 4 coordinated to maximize efficiency; and
- 5 (E) The passage of students through the continuum of
- 6 grades is coordinated in a manner consistent with
- 7 section 302A-1004."

8 SECTION 4. The board shall adopt rules under chapter 91 to  
 9 implement this Act.

10 SECTION 5. Statutory material to be repealed is bracketed  
 11 and stricken. New statutory material is underscored.

12 SECTION 6. This Act shall take effect on January 1, 2015.

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INTRODUCED BY:

*Handwritten signatures:*  
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JAN 17 2014



# H.B. NO. 1843

**Report Title:**

Education; Public School Curriculum; Opt-out

**Description:**

Codifies opt-out provisions for parents and legal guardians who choose to exclude their children from specific lessons and activities. Requires that an alternative standards-based curriculum be developed and made available for opt-out students.

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

