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# A BILL FOR AN ACT

RELATING TO KINDERGARTEN.

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

1           SECTION 1. The concept of kindergarten was developed in  
2 Germany in the mid-nineteenth century with a curriculum intended  
3 to nurture children's intellectual, moral, and physical  
4 development, and was imported to the United States soon after.  
5 Over a century later, research has demonstrated that, as with  
6 all early education, the benefits of kindergarten last well into  
7 adulthood, particularly for disadvantaged children.

8           The legislature finds that children who attend kindergarten  
9 benefit from additional cognitive development. In addition, a  
10 child's presence in the kindergarten classroom permits teachers  
11 to identify special needs earlier, allowing for learning  
12 interventions that much sooner and giving the child that much  
13 more of a chance to succeed. Perhaps more importantly, though,  
14 children who attend kindergarten develop increased social and  
15 emotional maturity and academic motivation, thereby equipping  
16 them with the social and behavioral tools to be successful  
17 throughout their academic careers. All of these benefits last



1 well into adulthood, resulting in lower incarceration rates,  
2 higher lifetime earnings, and increased social stability.

3 Therefore, the purpose of this Act is to make kindergarten  
4 attendance mandatory.

5 SECTION 2. Section 302A-1132, Hawaii Revised Statutes, is  
6 amended by amending subsection (a) to read as follows:

7 "(a) Unless excluded from school or excepted from  
8 attendance, all children who will have arrived at the age of at  
9 least [~~six~~] five years on or before July 31 of the school year,  
10 and who will not have arrived at the age of eighteen years[~~7~~] by  
11 January 1 of any school year, shall attend either a public or  
12 private school for, and during, the school year, and any parent,  
13 guardian, or other person having the responsibility for, or care  
14 of, a child whose attendance at school is obligatory shall send  
15 the child to either a public or private school. Attendance at a  
16 public or private school shall not be compulsory in the  
17 following cases:

18 (1) Where the child is physically or mentally unable to  
19 attend school (deafness and blindness excepted), of  
20 which fact the certificate of a duly licensed  
21 physician shall be sufficient evidence;



- 1           (2) Where the child, who has reached the fifteenth  
2           anniversary of birth, is suitably employed and has  
3           been excused from school attendance by the  
4           superintendent or the superintendent's authorized  
5           representative, or by a family court judge;
- 6           (3) Where, upon investigation by the family court, it has  
7           been shown that for any other reason the child may  
8           properly remain away from school;
- 9           (4) Where the child has graduated from high school;
- 10          (5) Where the child is enrolled in an appropriate  
11          alternative educational program as approved by the  
12          superintendent or the superintendent's authorized  
13          representative in accordance with the plans and  
14          policies of the department, or notification of intent  
15          to home school has been submitted to the principal of  
16          the public school that the child would otherwise be  
17          required to attend in accordance with department rules  
18          adopted to achieve this result; or
- 19          (6) Where:
- 20                (A) The child has attained the age of sixteen years;
- 21                (B) The principal has determined that:



1                   (i) The child has engaged in behavior [~~which~~  
2                   that is disruptive to other students,  
3                   teachers, or staff; or  
4                   (ii) The child's non-attendance is chronic and  
5                   has become a significant factor that hinders  
6                   the child's learning; and  
7                   (C) The principal of the child's school, and the  
8                   child's teacher or counselor, in consultation  
9                   with the child and the child's parent, guardian,  
10                  or other adult having legal responsibility for or  
11                  care of the child, develops an alternative  
12                  educational plan for the child. The alternative  
13                  educational plan shall include a process that  
14                  shall permit the child to resume school.  
15                  The principal of the child's school shall file the  
16                  plan made pursuant to subparagraph (C) with the  
17                  child's school record. If the adult having legal  
18                  responsibility for or care of the child disagrees with  
19                  the plan, then the adult shall be responsible for  
20                  obtaining appropriate educational services for the  
21                  child."

1 SECTION 3. Section 302A-411, Hawaii Revised Statutes, is  
2 repealed.

3 [~~"§302A-411 Kindergarten program, establishment,  
4 attendance. (a) The department shall establish and maintain  
5 kindergartens with a program of instruction as a part of the  
6 public school system; provided that:~~

- 7 ~~(1) Attendance shall not be mandatory; and~~
- 8 ~~(2) Charter schools shall be excluded from mandatory~~
- 9 ~~participation in the program.~~

10 ~~(b) Beginning with the 2014-2015 school year, a child who  
11 will be at least five years of age on July 31 of the school year  
12 may attend a public school kindergarten.~~

13 ~~(c) The department may accept gifts to establish and  
14 maintain kindergartens."~~ ]

15 SECTION 4. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on July 1, 2014.

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INTRODUCED BY:

*[Handwritten signatures and names]*

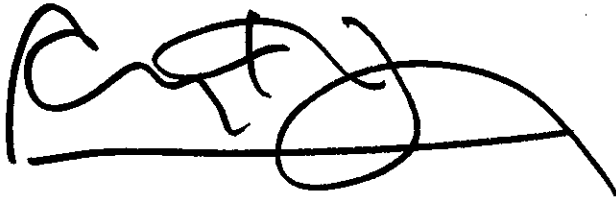
Cindy Evans      Alla Al-Sadi

Nicole E. Louer      Jack

*[Other illegible handwritten signatures]*



H.B. NO. 2025

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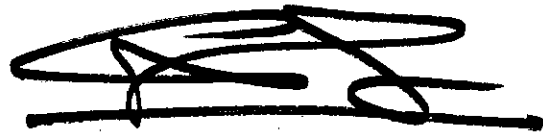
B. K. K. K.

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K. K. K.

JAN 17 2014



# H.B. NO. 2025

**Report Title:**  
Kindergarten

**Description:**  
Amends the compulsory education law to make kindergarten mandatory. Effective July 1, 2014.

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

