
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. The legislature finds that education is crucial
2 for a child's development and should be a top priority for the
3 State. The legislature also finds that truancy is a major issue
4 in high schools, and leads to poor student academic performance
5 and lower aspirations for higher education.

6 The legislature finds that increasing the age for
7 compulsory attendance at public or private schools will enable
8 students in the State to receive more education to succeed in
9 life.

10 The purpose of this Act is to increase the age for
11 compulsory attendance at public or private schools from sixteen
12 years of age to eighteen years of age.

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

15 "(a) Unless excluded from school or excepted from
16 attendance, all children who will have arrived at the age of at
17 least five years on or before July 31 of the school year, and



1 who will not have arrived at the age of eighteen years, by
2 January 1 of any school year, shall attend either a public or
3 private school for, and during, the school year, and any parent,
4 guardian, or other person having the responsibility for, or care
5 of, a child whose attendance at school is obligatory shall send
6 the child to either a public or private school. Attendance at a
7 public or private school shall not be compulsory in the
8 following cases:

- 9 (1) Where the child is physically or mentally unable to
10 attend school (deafness and blindness excepted), of
11 which fact the certificate of a duly licensed
12 physician shall be sufficient evidence;
- 13 (2) Where the child, who has reached the fifteenth
14 anniversary of birth, is suitably employed and has
15 been excused from school attendance by the
16 superintendent or the superintendent's authorized
17 representative, or by a family court judge;
- 18 (3) Where, upon investigation by the family court, it has
19 been shown that for any other reason the child may
20 properly remain away from school;
- 21 (4) Where the child has graduated from high school;



1 (5) Where the child is enrolled in an appropriate
2 alternative educational program as approved by the
3 superintendent or the superintendent's authorized
4 representative in accordance with the plans and
5 policies of the department, or notification of intent
6 to home school has been submitted to the principal of
7 the public school that the child would otherwise be
8 required to attend in accordance with department rules
9 adopted to achieve this result; or

10 (6) Where:

11 (A) The child has attained the age of [~~sixteen~~
12 eighteen years;

13 (B) The principal has determined that:

14 (i) The child has engaged in behavior which is
15 disruptive to other students, teachers, or
16 staff; or

17 (ii) The child's non-attendance is chronic and
18 has become a significant factor that hinders
19 the child's learning; and

20 (C) The principal of the child's school, and the
21 child's teacher or counselor, in consultation



1 with the child and the child's parent, guardian,
 2 or other adult having legal responsibility for or
 3 care of the child, develops an alternative
 4 educational plan for the child. The alternative
 5 educational plan shall include a process that
 6 shall permit the child to resume school.

7 The principal of the child's school shall file the
 8 plan made pursuant to subparagraph (C) with the
 9 child's school record. If the adult having legal
 10 responsibility for or care of the child disagrees with
 11 the plan, then the adult shall be responsible for
 12 obtaining appropriate educational services for the
 13 child."

14 SECTION 3. This Act does not affect rights and duties that
 15 matured, penalties that were incurred, and proceedings that were
 16 begun before its effective date.

17 SECTION 4. Statutory material to be repealed is bracketed
 18 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

[Handwritten signatures: Fred Bly, Paul King, and another signature]

H.B. NO. 1280

Report Title:

Education; Compulsory Attendance; Age

Description:

Increases the age requirement for compulsory attendance at public or private schools from 16 years to 18 years.

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