

JAN 20 2017

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# A BILL FOR AN ACT

RELATING TO STUDENT INFORMED CONSENT.

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

1           SECTION 1. For decades, students have participated in the  
2 dissection and vivisection of animals as part of traditional  
3 educational curricula. The legislature finds that advancements  
4 in computer software now make it possible for schools to respect  
5 each student's ethical, moral or religious position regarding  
6 the humane treatment of animals without sacrificing learning  
7 objectives. The purpose of this Act is to require public  
8 schools to make educational alternatives to the dissection and  
9 vivisection of animals available to all students.

10           SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
11 amended by adding a new section to be appropriately designated  
12 and to read as follows:

13           "§302A-        Student's participation in animal dissection and  
14 vivisection; caregiver consent; informed consent to decline.

15           (a) A public school shall obtain written consent by a parent,  
16 guardian, or legal custodian of a student before the student  
17 shall participate in any of the following activities involving



1 animals as part of a course of study: dissection, vivisection,  
2 incubation, infliction of harm, capture, or destruction of an  
3 animal.

4 (b) Notwithstanding the requirements of subsection (a), a  
5 student enrolled in kindergarten through grade twelve in any  
6 public school in the State may decline to participate in or  
7 observe, wholly or in part, any of the activities involving  
8 animals listed in subsection (a). A student may also decline to  
9 participate in or observe any part of surgery, other invasive  
10 procedures or experiments performed on an animal, or any  
11 termination of life.

12 (c) A student who exercises the student's right to decline  
13 participation in any of the activities involving animals listed  
14 in subsection (a) shall be given a suitable alternative  
15 education project designed to provide the student with factual  
16 knowledge, information, or experience required by the course of  
17 study.

18 (d) If a test requires the use of dissection or dissected  
19 specimens, students shall be offered an alternative test that  
20 does not use such specimens.



1        (e) A student shall not be penalized or discriminated  
 2 against, with regard to grade for the class, removal from the  
 3 class, or otherwise, for failing to obtain caregiver consent or  
 4 for refusing to participate in or observe any activities set  
 5 forth in subsection (a).

6        (f) The board shall adopt necessary rules to ensure the  
 7 proper administration and compliance with this section,  
 8 including, but not limited to notifying all schools and  
 9 requiring each school to notify its students and their parents,  
 10 in writing, at a time to be specified by the board, that all  
 11 students have the right to refuse participation or observation  
 12 of any activities involving animals listed in subsection (a)."

13        SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:

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**Report Title:**

Student Informed Consent to Animal Dissection and Vivisection;  
Public Schools

**Description:**

Requires public schools to obtain written caregiver consent before a student shall participate in dissection, vivisection, and other procedures harmful to animals. Allows public school students in grades K through 12 to decline participation in dissection, vivisection, and other procedures harmful to animals. Requires schools to make alternative educational projects available, and the board of education to develop rules and give notice to all schools.

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

