
A BILL FOR AN ACT

RELATING TO CONTROVERSIAL PUBLIC SCHOOL CURRICULUM.

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

1 SECTION 1. The legislature finds that parents of students
2 have the right to be fully informed on subjects and lessons
3 taught to their children in public schools. If public schools
4 are teaching materials and courses that some parents find
5 incompatible with their own values, the schools should be as
6 transparent about their teachings as possible.

7 The Board of Education's Policy 101.13 concerning
8 controversial issues discussed in the classroom does not include
9 parental notification or an opt-out clause. Currently, the
10 Department of Education mentions an opt-out process on their
11 website, but there is no existing codified policy regarding the
12 ability for a parent to be notified of controversial topics or
13 to choose to opt-out of participation.

14 The purpose of this Act is to promote transparency and
15 accountability by requiring public schools to disclose all
16 controversial content to parents seven days before such
17 instructional materials are circulated to students.



1 SECTION 2. Chapter 302-A, Hawaii Revised Statutes, is
2 amended by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§302A- Education on controversial issues. (a)
5 Notwithstanding any law to the contrary, a public school shall
6 provide written notice to the parents or legal guardians of a
7 student no less than seven days before providing the student
8 with instructions or instructional materials that are
9 controversial in nature. The notification shall give enough
10 detailed information for the parent or legal guardian to make an
11 informed decision for their child. A student shall not receive
12 the instructions or instructional materials if a parent or legal
13 guardian submits a written objection to the public school.

14 (b) This section shall not be construed to prohibit the
15 board, the department, or a public school from implementing or
16 complying with policies that require affirmative consent from a
17 parent or legal guardian before the school provides instruction
18 or instructional materials to a student.

19 (c) For purposes of this section:

20 "Controversial" means likely to provoke strong disagreement
21 among reasonable people.



H.B. NO. 743

1 "Instruction" includes curriculum, classes, supplementary
2 lectures and classes, and educational activities that take place
3 during school hours or in afterschool programs.

4 "Instructional materials" include textbooks, curriculum
5 pamphlets, supplementary materials, electronic data, or
6 audiovisual media relating to the instruction of an issue."

7 SECTION 3. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon approval.

INTRODUCED BY:

JAN 22 2019



H.B. NO. 743

Report Title:

Education; Public Schools; Controversial Issues

Description:

Requires public schools to provide parents or legal guardians advance written notice of instruction, provision of materials, or activities that address controversial issues.

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