

JAN 15 2025

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

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

4 "§302A- Mental health professionals; minimum required
5 per school. (a) Beginning with the 2027-2028 school year, each
6 department school in the State, from kindergarten through grade
7 twelve, shall employ, or retain under contract, at least one
8 mental health professional for every two hundred fifty students
9 enrolled in the department school; provided that, if a
10 department school has fewer than two hundred fifty students
11 enrolled, that department school shall employ, or retain under
12 contract, at least one mental health professional.

13 (b) Other state agencies shall cooperate with the
14 department as appropriate to implement this section.

15 (c) As used in this section, "mental health professional"
16 means:



- 1 (1) A licensed mental health counselor, as defined in
- 2 section 453D-1;
- 3 (2) A psychologist licensed to practice psychology under
- 4 chapter 465;
- 5 (3) A person employed as a school psychologist pursuant to
- 6 section 465-3(a)(3);
- 7 (4) A social worker, as defined in section 467E-1; or
- 8 (5) A social worker exempt from licensure pursuant to
- 9 section 467E-6(2)."

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

13 "§302D- Mental health professionals; minimum required
 14 per school. (a) Beginning with the 2027-2028 school year, each
 15 public charter school in the State, from kindergarten through
 16 grade twelve, shall employ, or retain under contract, at least
 17 one mental health professional for every two hundred fifty
 18 students enrolled in the public charter school; provided that,
 19 if a public charter school has fewer than two hundred fifty
 20 students enrolled, that public charter school shall employ, or
 21 retain under contract, at least one mental health professional.



1 (b) Other state agencies shall cooperate with the
2 department as appropriate to implement this section.

3 (c) As used in this section, "mental health professional"
4 means:

5 (1) A licensed mental health counselor, as defined in
6 section 453D-1;

7 (2) A psychologist licensed to practice psychology under
8 chapter 465;

9 (3) A person employed as a school psychologist pursuant to
10 section 465-3(a)(3);

11 (4) A social worker, as defined in section 467E-1; or

12 (5) A social worker exempt from licensure pursuant to
13 section 467E-6(2)."

14 SECTION 3. The department shall submit a progress report
15 to the legislature no later than twenty days prior to the
16 convening of the regular session of 2026, detailing the progress
17 made toward meeting the benchmark requiring each department
18 school and public charter school in the State, from kindergarten
19 through grade twelve, to employ, or retain under contract, the
20 number of mental health professionals required by sections 1
21 and 2 of this Act.



1 SECTION 4. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so
 3 much thereof as may be necessary for fiscal year 2025-2026 and
 4 the same sum or so much thereof as may be necessary for fiscal
 5 year 2026-2027 to establish full-time equivalent
 6 (.0 FTE) mental health professional positions within the
 7 department of education or otherwise satisfy the requirements
 8 established by sections 1 and 2 of this Act.

9 The sums appropriated shall be expended by the department
 10 of education for the purposes of this Act.

11 SECTION 5. In accordance with section 9 of article VII, of
 12 the Constitution of the State of Hawaii and sections 37-91
 13 and 37-93, Hawaii Revised Statutes, the legislature has
 14 determined that the appropriations contained in this Act will
 15 cause the state general fund expenditure ceiling for fiscal year
 16 2025-2026 to be exceeded by \$, or per cent. The
 17 reasons for exceeding the general fund expenditure ceiling are
 18 that the appropriations made in this Act are necessary to serve
 19 the public interest and to meet the needs provided for by this
 20 Act.

21 SECTION 6. New statutory material is underscored.

1 SECTION 7. This Act shall take effect on July 1, 2025.

2

INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'R. S. S.', is written over a horizontal line.



S.B. NO. 64

Report Title:

DOE; Public Schools; Public Charter Schools; K-12; Mental Health Professionals; School Counselors; Psychologists; School Psychologists; Social Workers; Report to Legislature; Appropriations; General Fund Expenditure Ceiling Exceeded

Description:

Beginning with the 2027-2028 school year, requires each public school in the State, including charter schools, to employ, or retain under contract, at least 1 mental health professional for every 250 students enrolled, subject to certain conditions. Requires the Department of Education to submit a progress report to the Legislature no later than 20 days prior to the convening of the Regular Session of 2026. Appropriates moneys for the Department of Education to contract for mental health professionals and to establish an unspecified number of full-time equivalent mental health professional positions within the Department of Education. Declares that the general fund expenditure ceiling is exceeded.

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

