

ACT 157

H.B. NO. 711

A Bill for an Act Relating to Compulsory School Attendance.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 298-9, Hawaii Revised Statutes, is amended to read as follows:

“§298-9 Attendance compulsory; exceptions. (a) Unless excluded from school or excepted from attendance, all children who will have arrived at the age

of at least six years, and who will not have arrived at the age of eighteen years, on or before December 31 of any school year, shall attend either a public or private school for and during such school year, and any parent, guardian, and other person having the responsibility for or care of a child whose attendance at school is obligatory shall send the child to some such school. Such attendance shall not be compulsory in the following cases:

- (1) Where the child is physically or mentally unable to attend school (deafness and blindness excepted) of which fact the certificate of a duly licensed physician shall be sufficient evidence;
- [(2) Where a competent person is employed as a tutor in the family wherein the child resides and proper instruction is thereby imparted as approved by the superintendent;
- (3)] (2) Where the child who has reached the fifteenth anniversary of birth is suitably employed and has been excused from school attendance by the [school department] superintendent or [its] the superintendent's authorized [agents, the] representative, or by a family court [or the district] judge;
- [(4)] (3) Where, upon investigation by the family court, [when feasible, or by the district judge,] it has been shown that for any other reason the child may properly remain away from school;
- [(5)] (4) Where a child graduated from¹ high school [or vocational school]; or
- [(6)] (5) Where the child is enrolled in an appropriate alternative educational program as approved by the superintendent or the superintendent's authorized representative in accordance with the plans and policies of the department of education[.], or notification of intent to home school has been submitted to the principal of the public school which the child would otherwise be required to attend in accordance with department rules adopted to achieve this result.

(b) Any employer who employs a child who is excused from school attendance in accordance with subsection (a)(2) shall notify the child's school within three days upon termination of the child's employment."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 7, 1989.)

Note

1. Prior to amendment "a" appeared here.