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# HOUSE CONCURRENT RESOLUTION

URGING THE DEPARTMENT OF EDUCATION TO ENSURE RECOGNITION OF  
CERTAIN RIGHTS OF PARENTS OF CHILDREN WHO HAVE BEEN  
REFERRED FOR SPECIAL EDUCATION SERVICES.

1           WHEREAS, the parents of children who are referred for  
2 special education services are faced with heavy emotional and  
3 physical challenges every day; and  
4

5           WHEREAS, the Department of Education (DOE) should make  
6 conscientious efforts to assist these parents with the  
7 educational needs of their children; and  
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9           WHEREAS, DOE should recognize that as the individuals who  
10 probably most understand a child's social, emotional, and  
11 physical needs, parents should be allowed to have input in the  
12 most appropriate education for their child; and  
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14           WHEREAS, despite the progress made by DOE in improving the  
15 educational services provided to children with special needs,  
16 many parents still feel frustrated that they are, more often  
17 than not, left out of decisions made about their child's  
18 education and unable to navigate DOE's special education system  
19 to do what they believe is in their child's best interests; and  
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21           WHEREAS, these parents are entitled to certain rights, and  
22 DOE should do due diligence to assist these parents by informing  
23 them of their rights; and  
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25           WHEREAS, DOE already recognizes the rights granted by  
26 federal law to students with disabilities and their parents or  
27 guardians, the intent of which is to provide an equal  
28 educational opportunity to all students with disabilities, and  
29 these rights are described in a publication entitled, "Rights of  
30 Parents and Students in Identification, Evaluation and



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1 Educational Placement of Students with Disabilities and the  
 2 Provision of Free Appropriate Public Education to the Students"  
 3 (Section 504, Subpart D, Chapter 53, the Rehabilitation Act of  
 4 1973); and

5  
 6 WHEREAS, the Georgia Department of Education regularly  
 7 updates and publicizes a document entitled, "Your Rights As  
 8 Parents - Regarding Special Education" which lists the rights of  
 9 parents in regards to records, confidentiality of information,  
 10 independent educational evaluation, notice, consent, hearings,  
 11 evaluation procedures, least restrictive environment, and  
 12 interim alternative educational setting; now, therefore,

13  
 14 BE IT RESOLVED by the House of Representatives of the  
 15 Twenty-fourth Legislature of the State of Hawaii, Regular  
 16 Session of 2008, the Senate concurring, that the DOE is urged to  
 17 ensure recognition of certain rights of parents of children who  
 18 have been referred for special education services; and

19  
 20 BE IT FURTHER RESOLVED that if any of the rights listed in  
 21 the Georgia Department of Education's publication entitled,  
 22 "Your Rights As Parents - Regarding Special Education," are not  
 23 recognized by DOE, DOE is urged to consider doing so; and

24  
 25 BE IT FURTHER RESOLVED that DOE is urged to inform all  
 26 parents of children who have been referred for special education  
 27 services of their rights, to the best of its ability; and

28  
 29 BE IT FURTHER RESOLVED that certified copies of this  
 30 Concurrent Resolution be transmitted to the Chairperson of the  
 31 Board of Education, Superintendent of Education, and Director of  
 32 Health.

OFFERED BY:

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*Karen Auana*  
*John M. Higgins*  
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