

Honolulu, Hawaii

Feb 1, 2008

RE: H.B. No. 2051
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Human Services & Housing, to which was referred H.B. No. 2051 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION FOR FOSTER CHILDREN,"

begs leave to report as follows:

The purpose of this bill is to provide stability to foster children by:

- (1) Establishing guidelines for school placement that are in the best interests of the child;
- (2) Ensuring that foster children receive services comparable to those provided to children who reside in the school district, including transportation services; and
- (3) Appropriating funds to provide transportation services for foster children.

The Legal Aid Society of Hawaii, Hawaii Family Support Institute, Hawaii Foster Parent Association, Hawaii Foster Youth Coalition, and several concerned individuals testified in support of this bill. The Department of Education (DOE) and Department of Human Services (DHS) supported the intent of this measure.



Your Committee recognizes that foster children are already facing instability when removed from a home and placed into foster custody, and being forced to transfer to a different school places added stress and instability on the child. DOE raised some concerns with regard to transportation and recommended that children under the age of 10 should not be subjected to rides longer than 30 minutes between home and school. DOE also noted some logistical challenges in that it is not feasible to have a separate school bus for a small number of children. Some of these special situations should be considered on a case-by-case basis, and the lack of public transportation in some areas of the state also needs to be taken into consideration.

Your Committee has amended this bill by:

- (1) Clarifying the definitions of "foster child" and "school of origin" and making them consistent with existing definitions under the Child Protective Act;
- (2) Requiring school placement decisions to be made in consultation with DHS and the child's guardian ad litem and, when necessary, the surrogate parent and the family court;
- (3) Clarifying that transportation should be provided to and from school; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2051, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2051, H.D. 1, and be referred to the Committee on Education.

Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Housing,



MAILE SHIMABUKURO, Chair



