

From: Linda Elento, Member of The Hawaii Down Syndrome Congress

To: Representative Roy Takumi, Chair, Education
Representative Lyla Berg, Ph.D., Vice Chair, Education

Re: EDN February 6, 2008, 2:15p
HB2051 In Support

The needs of our foster children are being affected by policies and procedures in the Department of Education that do not allow for flexibility to let these children remain in a school for a reasonable amount of time after being transferred to a new home.

I ask the committee's consideration to make provisions in this bill for all children who are foster, homeless and/or have special needs, as they are similarly not allowed flexibility in school placement, when they are already in a difficult, disadvantaged situation. I have experienced this inflexibility first hand after my son with disabilities was being denied a request to resume school (after 2 years of no public school) at another elementary school the last month of a school year, and two requests for geographical exceptions at two different schools.

Transportation for these children (for all children actually). The current rule exists where if a child lives within a mile of the home school, the child does not qualify for a bus ride. I live by a rental home and see children come and go, all with the same need and wish: to have bus service to the home school. Our home is exactly one mile from the front gate of the school's parking lot. In the afternoon, I saw a bus with many empty seats taking students home. Kahuhipa Street in Kaneohe is populated with children. Those children walk home alone or with their parents.

Geographic exceptions by children who are eligible for special education and related services.

Reference: HRS §302A-1143 Attend school in what district. Addition of specific provisions for flexibility for these children.

Charter schools and children who are eligible for special education and related services.

Reference: HRS §302B-15 Responsibilities of department of education; special education services. §302B-12 Funding and finance. Revise to allow charter schools to request from the department, staff, funding, or both because Charter schools do not have the flexibility and independent authority and is not able to select curriculum, instructional approach, personnel management for the provision of special education services. This lack of authority contradicts the definitions of Charter school and Local school board [**§302B-1**] and diminishes the ability of a charter school to request special education services and/or special education funds from the DOE.

