

STAND. COM. REP. NO.

827

Honolulu, Hawaii

March 6, 2009

RE: H.B. No. 87
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 87,
H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this bill is to ensure that a free and appropriate public education is provided to students eligible for special education who are placed in private schools at public expense by:

- (1) Authorizing and obligating the Department of Education (DOE) to oversee and monitor these students;
- (2) Specifying that if the private school does not allow DOE routine and timely access to monitor the delivery of special education, the placement of the student in the private school is to be deemed an inappropriate placement for the student and is not to be considered the last agreed-upon placement; and
- (3) Requiring the individualized education program team to reconvene to determine a new placement for the student.

DOE testified in support of this bill. The State Council on Developmental Disabilities, Community Children's Councils of Hawaii, Hawaii Disability Rights Center, and several concerned individuals opposed this measure. The Special Education Advisory


HB87 HD2 HSCR FIN HMS 2009-2683



Council, Hawaii Association of Independent Schools, Autism Society of Hawaii, and several individuals offered comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 87, H.D. 2, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



HSCR 827

State of Hawaii
House of Representatives
The Twenty-fifth Legislature

Record of Votes of the Committee on Finance

Bill/Resolution No.: HB 87, HD 2	Committee Referral: EDN, JUD, FIN	Date: March 2, 2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)	✓			
2. LEE, Marilyn B. (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. AWANA, Karen Leinani	✓			
5. BROWER, Tom	✓			
6. CHOY, Isaac W.	✓			
7. COFFMAN, Denny	✓			
8. HAR, Sharon E.	✓			
9. KEITH-AGARAN, Gilbert S.C.	✓			
10. LEE, Chris	✓			
11. NISHIMOTO, Scott Y.	✓			
12. SAGUM, Roland D., III	✓			
13. TOKIOKA, James Kunane	✓			
14. WOOLEY, Jessica	✓			
15. YAMASHITA, Kyle T.	✓			
16. PINE, Kymberly Marcos	✓			
17. WARD, Gene				✓
TOTAL (17)	16	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Marilyn B. Lee</u>				
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