

SB 2312

Measure Title: RELATING TO EDUCATION.

Report Title: Education; Full Participation in School Act; Kupuna Caucus

Description: Authorizes certain caregivers to execute an affidavit for caregiver consent on behalf of a minor to allow the minor to participate fully in programs and services under the Individuals with Disabilities Act and section 504 of the Rehabilitation Act of 1973.

Companion:

Package: Kupuna

Current Referral: HMS, EDU

Introducer(s): CHUN OAKLAND, SHIMABUKURO, Fukunaga, Ige, Ihara, Nishihara

Date: 01/31/2012

Committee: Senate Human Services

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 2312 Relating to Education

Purpose of Bill: Authorizes certain caregivers to execute an affidavit for caregiver consent on behalf of a minor to allow the minor to participate fully in programs and services under the Individuals with Disabilities Act and section 504 of the Rehabilitation Act of 1973.

Department's Position: The Department of Education (Department) does not support SB 2312 as it is currently written. For students requiring services and supports under the Individual with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, the role of the parent and/or legal guardian is clearly defined with respect to making educational decisions on behalf of a child. In the case that neither a parent or legal guardian is available, the federal law requires a surrogate parent to be assigned. Surrogate parents are trained to participate in school team meetings so that any type of educational planning made on behalf of a student with disabilities is made with consideration of the child's best interests. Caregivers and relatives who are knowledgeable about the child and their needs may participate in the school team meetings to provide the team with an enhanced perspective of the child's needs.

The Department will continue to encourage and support the inclusion of caregivers in the school teams, under IDEA or Section 504, to help the team develop an educational program which best meets the needs of a student with disabilities.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 25, 2012 5:51 PM
To: HMS Testimony
Cc: robertscottwall@yahoo.com
Subject: Testimony for SB2312 on 1/31/2012 1:15:00 PM

Testimony for HMS 1/31/2012 1:15:00 PM SB2312

Conference room: 016
Testifier position: Support
Testifier will be present: No
Submitted by: Scott Wall
Organization: Individual
E-mail: robertscottwall@yahoo.com
Submitted on: 1/25/2012

Comments: