

Honolulu, Hawaii

APR 23 2014 , 2014

RE: S.B. No. 2134  
S.D. 1  
H.D. 1  
C.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2134, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION, "

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend various sections of chapter 302A, Hawaii Revised Statutes (HRS), to comply with the requirements of the federal Individuals with Disabilities Education Act.

Your Committee on Conference finds that the United States Court of Appeals for the Ninth Circuit recently held in E.R.K. v. State of Hawaii Department of Education, 728 F.3d 982 (2013), that section 302A-1134(c), HRS, which limits public school attendance to children who are under twenty years of age, violates the federal Individuals with Disabilities Education Act by denying public education to special-needs students aged twenty to twenty-one. This measure is

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necessary to bring Hawaii's law into compliance with the federal Individuals with Disabilities Education Act.

Your Committee on Conference has amended this measure by making this measure effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2134, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2134, S.D. 1, H.D. 1, C.D. 1.

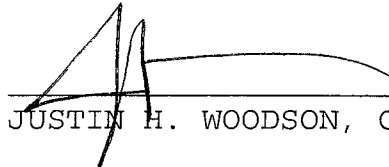
Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



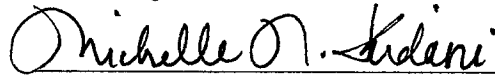
ROY M. TAKUMI, Co-Chair



JUSTIN H. WOODSON, Co-Chair



JILL N. TOKUDA, Chair



MICHELLE N. KIDANI, Co-Chair



Hawaii State Legislature

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: <b>SB 2134, SD 1, HD 1</b>	Date/Time: <i>April 21, 2014 2:00pm</i>
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The recommendation of the House and Senate managers is to pass with amendments (CD).



The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
TOKUDA, Jill N., Chr.	✓				TAKUMI, Roy M., Co-Chr.	✓			
KIDANI, Michelle N., Co-Chr.	✓				WOODSON, Justin H., Co-Chr.	✓			
SLOM, Sam	✓				ICHIYAMA, Linda	✓			
					FALE, Richard Lee	✓			
<b>TOTAL</b>	3	0	0	0	<b>TOTAL</b>	4	0	0	0

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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Distribution:      **Original**      **Yellow**      **Pink**      **Goldenrod**  
*File with Conference Committee Report      House Clerk's Office      Senate Clerk's Office      Drafting Agency*