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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT A STUDY ON THE RESPONSIBLE EXPENDITURE OF SPECIAL EDUCATION FUNDS BY THE DEPARTMENT OF EDUCATION.

1           WHEREAS, the federal Individuals with Disabilities  
2 Education Act of 2004 and state law require the Department of  
3 Education to provide a free appropriate public education, which  
4 includes a continuum of services, to students who are eligible  
5 for special education and related services; and  
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7           WHEREAS, special education may include but is not limited  
8 to academic services, speech-language services, psychological  
9 services, physical and occupational therapy, counseling  
10 services, and parent education -- all at no cost to parents; and  
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12           WHEREAS, special education services are made available to  
13 any student aged three to 22 who demonstrates a need for  
14 specially designed instruction, after an evaluation to determine  
15 the nature and extent of the student's needs; and  
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17           WHEREAS, if a student is found eligible to receive a  
18 special education, services are provided to the student through  
19 an Individualized Education Program, which is a written  
20 statement about the educational program for a child with a  
21 disability, serves as a management tool to ensure that the child  
22 receives the needed special education and related services, and  
23 serves as an evaluation device when used to determine the extent  
24 of the child's progress toward accomplishing projected goals;  
25 and  
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27           WHEREAS, the Department of Education's operating budget for  
28 the 2015-16 fiscal year is \$1.95 billion, with \$1.6 billion --  
29 or approximately 82 percent -- coming from the State's general  
30 fund; and



# H.C.R. NO. 124

1           WHEREAS, Program ID No. EDN 150, which supports special  
 2 education students who may require or have an Individualized  
 3 Education Plan, receives approximately \$351,500,000, or 23  
 4 percent of the operating budget; and

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 6           WHEREAS, public moneys, particularly a sum of public moneys  
 7 as large as that contained in Program ID No. EDN 150, must be  
 8 stewarded and expended carefully and responsibly; and

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 10          WHEREAS, the Legislature has grave concerns about the  
 11 expenditure of special education funds by the Department of  
 12 Education; now, therefore,

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 14          BE IT RESOLVED by the House of Representatives of the  
 15 Twenty-eighth Legislature of the State of Hawaii, Regular  
 16 Session of 2016, the Senate concurring, that the Office of the  
 17 Auditor is requested to conduct a study on the responsible  
 18 expenditure of special education funds by the Department of  
 19 Education; and

20  
 21          BE IT FURTHER RESOLVED that the Office of the Auditor's  
 22 study include the possibility of maximizing the use of Medicaid  
 23 funds to help fund special education services; and

24  
 25          BE IT FURTHER RESOLVED that the Office of the Auditor is  
 26 requested to submit its study to the Legislature no later than  
 27 20 days prior to the convening of the Regular Session of 2017;  
 28 and

29  
 30          BE IT FURTHER RESOLVED that certified copies of this  
 31 Concurrent Resolution be transmitted to the Acting Auditor and  
 32 Superintendent of Education.

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OFFERED BY:   
  
  
