

STAND. COM. REP. NO.

232

Honolulu, Hawaii

**FEB 14** , 2023

RE: H.B. No. 1045  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 1045 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to adjust the responsibility of producing a certificate of release when transferring schools from the minor student to the student's parent or legal guardian, unless the student is an emancipated minor.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that existing law requires a student under the age of eighteen who is transferring to another school to submit to the enrolling school a certificate of release obtained from the school last attended. Your Committee further finds that because minors do not have legal capacity independent of their parents, a parent or legal guardian of the minor student should have responsibility for producing and submitting such certificate of release, unless the student is an emancipated minor.

Your Committee notes that under the McKinney-Vento Homeless Assistance Act of 1987, unaccompanied homeless youth are considered to be those youth who are not in the physical custody



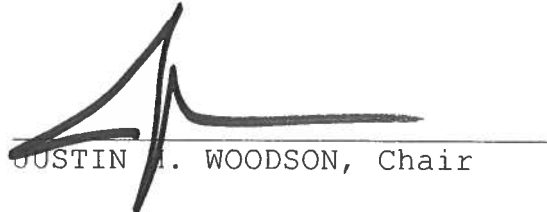
of a parent or legal guardian and experiencing unstable housing. McKinney-Vento eligible students, including unaccompanied youth, are entitled to enroll in school immediately, even if the student is lacking documents normally required for enrollment or have missed application or enrollment deadlines.

Your Committee has amended this measure by:

- (1) Exempting students eligible for assistance provided under the federal McKinney-Vento Homeless Assistance Act of 1987, including unaccompanied youth who are not under the physical custody of a parent or legal guardian, from the requirements to produce a certificate of release or a certificate of proficiency, or a lawful excuse for its absence, when transferring schools;
- (2) Changing its effective date to June 30, 3000; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1045, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1045, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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

  
JUSTIN A. WOODSON, Chair



Record of Votes of the Committee on Education

<b>Bill/Resolution No.:</b> HB1045	<b>Committee Referral:</b> EDN, JHA	<b>Date:</b> 2/9/23		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" 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)				
<b>EDN Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. WOODSON, Justin H. (C)	/			
2. MARTEN, Lisa (VC)	/			
3. KAPELA, Jeanne	/			
4. MARTINEZ, Rose	/			
5. MATAYOSHI, Scot Z.	/			
6. PERRUSO, Amy A.	/			
7. QUINLAN, Sean	/			
8. TODD, Chris	/			
9. GARCIA, Diamond				/
<b>TOTAL (9)</b>	8			1
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <span style="margin-left: 150px;">committee acronym(s)</span>				
<b>Vice Chair's or designee's signature:</b> <u>      Lisa Marten      </u>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				