



DEPT. COMM. NO. 47

**STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804**

OFFICE OF THE DEPUTY SUPERINTENDENT

October 29, 2024

The Honorable Ronald D. Kouchi, President
and Members of the Senate
415 South Beretania Street
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki, Speaker
and Members of the House of Representatives
415 South Beretania Street
State Capitol, Room 431
Honolulu, Hawaii 96813

Re: Hawaii State Department of Education Annual Report on Administrative Hearing
Procedures and Subpoena Power Relating to the Education of Children with a
Disability

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, a copy of the Administrative Hearing Procedures and Subpoena Power Relating to the Education of Children with a Disability annual report is being transmitted, pursuant to Section 302A-443(e), Hawaii Revised Statutes (HRS). In accordance with Section 93-16, HRS, the report may be viewed electronically at:

<https://www.hawaiipublicschools.org/VisionForSuccess/SchoolDataAndReports/StateReports/Pages/Legislative-reports.aspx>

Should you have any questions, please contact Ken Kakesako, Director of the Policy, Innovation, Planning and Evaluation Branch, Office of Strategy, Innovation and Performance, via email at ken.kakesako@k12.hi.us or by phone at (808) 282-3430.

Sincerely,

Tammi Oyadomari-Chun
Deputy Superintendent of Strategy

TOC:jy
Attachment

c: Legislative Reference Bureau
Hawaii State Public Library System
University of Hawaii
Monitoring and Compliance Branch



State of Hawai'i
Department of Education

Annual Report on Administrative Hearing Procedures and Subpoena Power Relating to the Education of Children with a Disability

December 2024

Section 302A-443(e), Hawai'i Revised Statutes, requires the Hawai'i State Department of Education to annually submit a report that provides the total number of requests for a due process hearing relating to the reimbursement of costs for a child's placement filed by a parent or guardian of a child with a disability.

Administrative Hearing Legislative Report

The Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 provide parents and schools with dispute resolution procedures to resolve disagreements related to a child's educational services.

A due process complaint requesting a hearing is a formal procedure used to resolve disagreements between parents and schools on any matter relating to the identification, evaluation, or educational placement of a child with a disability or the provision of a free appropriate public education (FAPE) to the child.

Based on a review of due process hearing complaints filed with the Hawai'i State Department of Education during School Year 2023-2024, 16 due process hearing requests were filed by a parent (as defined under 34 C.F.R. § 300.152(a)(5) and HAR § 8-60-2) of a child with a disability requesting reimbursement of costs for a child's educational placement.