
A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that when a student who
2 is under the age of eighteen transfers schools, the current
3 statute requires the student to submit to the enrolling school a
4 certificate of release obtained from the school last attended.
5 Because minors do not have legal capacity independent of their
6 parents, the legislature finds that it is more appropriate for
7 the parent or legal guardian of the minor student to produce and
8 submit the certificate of release, unless the student is an
9 emancipated minor.

10 The purpose of this Act is to expand the authority to
11 produce a certificate of release for the minor student to the
12 student's parent, or legal guardian or the student in the case
13 of an emancipated minor.

14 SECTION 2. Section 302A-1145, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "§302A-1145 **Transfer to another school.** No school shall
17 receive any [~~child~~] student under eighteen years of age, [~~who~~



1 ~~has attended another school of the same class in the same~~
2 ~~complex area,]~~ unless the [child] student's parent or legal
3 guardian produces to the school in which the student is to be
4 enrolled, a certificate of release of the school last attended
5 by the [child.] student; provided that an emancipated minor may
6 produce the minor's own certificate of release. If the [child]
7 parent or legal guardian of a student applies for the student to
8 [enroll] be enrolled, or an emancipated minor applies to enroll,
9 in a school of higher grade, a certificate of proficiency [shall
10 be required] or a lawful excuse for its absence[. The children
11 from one complex area desiring to enter a school in another
12 complex area may be received or enrolled upon producing a
13 certificate of release from the school last attended in the
14 other complex area.] shall be required.

15 This section shall not apply to McKinney-Vento eligible
16 students, including unaccompanied youth who are not under the
17 physical custody of a parent or legal guardian."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect on January 1, 2024.



Report Title:

Department of Education; Enrollment; Certificate of Release

Description:

Clarifies that a minor student's parent or legal guardian produce the required student records when transferring schools. Clarifies that emancipated minors may also produce the required student records when transferring schools. Clarifies that the transfer process is the same whether a transfer is within the same complex area or to another complex area. Clarifies that requirements do not apply to McKinney-Vento eligible students. (SD1)

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