

STAND. COM. REP. NO. 1719 -08

Honolulu, Hawaii

Ag-04 , 2008

RE: S.B. No. 2004  
S.D. 2  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 2004, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this bill is to assist in ensuring that children with disabilities receive appropriate special education by:

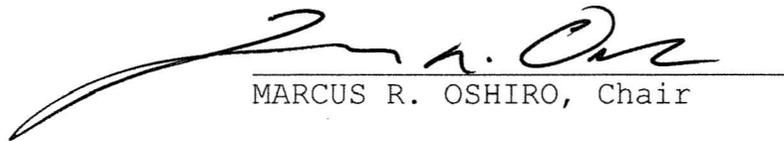
- (1) Extending from 90 days to one year the time allowed for parents or guardians or the Department of Education (DOE) to request a hearing regarding the reimbursement of costs for a child's unilateral placement in special education;
- (2) Requiring DOE to submit annual reports to the Legislature that provide the total number of requests filed by a parent or guardian of a child with a disability for a due process hearing regarding the reimbursement of costs for a child's placement; and
- (3) Requiring DOE to exercise oversight and monitoring of any child who has undergone unilateral placement in special education.



The Special Education Advisory Council, Hawaii Disability Rights Center, Autism Society of Hawaii, Autism Speaks, Hawaii Centers for Independent Living, and numerous concerned individuals supported this bill. The Attorney General and Hawaii State Teachers Association opposed this measure. DOE, the State Council on Developmental Disabilities, Community Children's Councils in Hawaii, and several concerned individuals provided comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2004, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

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



MARCUS R. OSHIRO, Chair



Record of Votes of the Committee on Finance

Bill/Resolution No.: <b>SB 2004, SD2, HD2</b>	Committee Referral: <b>EDN, JUD, FIN</b>	Date: <b>3-28-2008</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)	✓			
2. LEE, Marilyn B. (VC)	✓			
3. AWANA, Karen Leinani	✓			
4. BELATTI, Della Au	✓			
5. BROWER, Tom	✓			
6. CARROLL, Mele				✓
7. HANOHANO, Faye P.	✓			
8. HAR, Sharon E.	✓			
9. KARAMATSU, Jon Riki	✓			
10. MAGAOAY, Michael Y.	✓			
11. MANAHAN, Joey	✓			
12. MIZUNO, John	✓			
13. NAKASONE, Bob				✓
14. RHOADS, Karl	—			
15. SAGUM, Roland D., III				✓
16. TOKIOKA, James Kunane	✓			
17. MEYER, Colleen Rose	✓			✗ me error
18. PINE, Kymberly Marcos				✓
19. WARD, Gene, Ph.D.	✓			
<b>TOTAL (19)</b>	<b>15</b>	<b>0</b>	<b>0</b>	<b>4</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Marilyn B. Lee</u>				
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