
A BILL FOR AN ACT

RELATING TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

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

SECTION 1. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to part XXVIII to be appropriately designated and to read as follows:

"§321- State option under Individuals with Disabilities Education Act, Part C. Beginning with the annual state application under part C of the federal Individuals with Disabilities Education Act as amended in 2004 for federal fiscal year 2022, the department shall elect, pursuant to title 34 Code of Federal Regulations section 303.211, to include in its application a state policy under which a parent or guardian of a child with a disability:

(1) Who is eligible for preschool services under section 619 of the Individuals with Disabilities Education Act, as amended; and

(2) Previously received early intervention services,



1 to choose that the early intervention services continue after
2 the child turns three years of age and until the child enters or
3 is eligible to enter kindergarten."

4 SECTION 2. New statutory material is underscored.

5 SECTION 3. This Act shall take effect on July 1, 2050.

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Report Title:

DOH; Federal Special Education Law; Part C Regulations;
Preschool; Disabled Children

Description:

Requires the department of health to submit a request, as allowed by federal code, to the United States Department of Education to allow parents of children with a disability to continue receiving early intervention services after the child turns three years of age and until the child enters kindergarten. Effective 7/1/2050. (HD1)

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