

JAN 21 2022

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# A BILL FOR AN ACT

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RELATING TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

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

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

4       "§321-       State option under Individuals with Disabilities  
5       Education Act, Part C. Beginning with the annual state  
6       application under part C of the Individuals with Disabilities  
7       Education Act as amended in 2004 for federal fiscal year (FFY)  
8       2022, the department shall elect, pursuant to title 34 Code of  
9       Federal Regulations section 303.211, to include in its  
10      application, a state policy under which a parent or guardian of  
11      a child with a disability:

12       (1) Who is eligible for preschool services under section  
13       619 of the Individuals with Disabilities Education  
14       Act, as amended; and

15       (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 upon its approval.

6  
INTRODUCED BY: \_\_\_\_\_

A large, bold, handwritten signature in black ink, appearing to be 'J. J. L.', is written over a horizontal line.

# S.B. NO. 2748

**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.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

