

MAR 11 2022

SENATE CONCURRENT RESOLUTION

REQUESTING THE HAWAII CIVIL RIGHTS COMMISSION TO CLARIFY CLAIMS
WITHIN THE SCOPE OF THE INDIVIDUALS WITH DISABILITIES
EDUCATION ACT.

1 WHEREAS, the Hawaii Civil Rights Commission has
2 jurisdiction over complaints of disability discrimination by
3 students in public schools and universities; however, the
4 Individuals with Disabilities Education Act does not cover many
5 discrimination complaints brought by special education students;
6 and
7

8 WHEREAS, it is unclear whether a discrimination claim
9 related to special education and early intervention services
10 under the Individuals with Disabilities Education Act can be
11 addressed by the Hawaii Civil Rights Commission because the
12 subject matter will involve a student's education and be covered
13 by applicable laws prohibiting discrimination regarding
14 education; now, therefore,
15

16 BE IT RESOLVED by the Senate of the Thirty-first
17 Legislature of the State of Hawaii, Regular Session of 2022, the
18 House of Representatives concurring, that the Hawaii Civil
19 Rights Commission is requested to clarify the applicability of
20 processes for resolving special education claims of
21 discrimination under the Individuals with Disabilities Education
22 Act; and
23

24 BE IT FURTHER RESOLVED that a certified copy of this
25 Concurrent Resolution be transmitted to the Executive Director
26 of the Hawaii Civil Rights Commission.
27
28
29

OFFERED BY: _____

