

MAR 11 2022

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## SENATE CONCURRENT RESOLUTION

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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  
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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  
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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.  
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OFFERED BY:

