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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1           SECTION 1. The legislature finds that when a student who  
2 is under the age of eighteen transfers schools, the current  
3 statute requires the student to submit to the enrolling school a  
4 certificate of release obtained from the school last attended.  
5 Because minors do not have legal capacity independent of their  
6 parents, the legislature further finds that it is more  
7 appropriate for the parent or legal guardian of the minor  
8 student to produce and submit such certificate of release,  
9 unless the student is an emancipated minor.

10           The legislature also finds that under the McKinney-Vento  
11 Homeless Assistance Act of 1987, unaccompanied homeless youth  
12 are those youth who are not in the physical custody of a parent  
13 or legal guardian and experiencing unstable housing. McKinney-  
14 Vento eligible students, including unaccompanied youth, are  
15 entitled to enroll in school immediately, even if the student is  
16 lacking documents normally required for enrollment or have  
17 missed application or enrollment deadlines.



1 The purpose of this Act is to:

2 (1) Adjust the responsibility of producing a certificate  
3 of release from certain minor students to the  
4 student's parent or legal guardian; and

5 (2) Exempt students eligible for assistance provided under  
6 the federal McKinney-Vento Homeless Assistance Act of  
7 1987 from having to produce certain student records  
8 when transferring schools.

9 SECTION 2. Section 302A-1145, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "**§302A-1145 Transfer to another school.** No school shall  
12 receive any [~~child~~] student under eighteen years of age, [~~who~~  
13 ~~has attended another school of the same class in the same~~  
14 ~~complex area,~~] unless the [~~child~~] student's parent or legal  
15 guardian produces to the school in which the student is to be  
16 enrolled, a certificate of release of the school last attended  
17 by the [~~child.~~] student; provided that an emancipated minor may  
18 produce the minor's own certificate of release. If the [~~child~~]  
19 parent or legal guardian of a student applies for the student to  
20 [~~enroll~~] be enrolled, or an emancipated minor applies to enroll,  
21 in a school of higher grade, a certificate of proficiency [~~shall~~



1 ~~be required] or a lawful excuse for its absence[. The children~~  
2 ~~from one complex area desiring to enter a school in another~~  
3 ~~complex area may be received or enrolled upon producing a~~  
4 ~~certificate of release from the school last attended in the~~  
5 ~~other complex area.] shall be required.~~

6 This section shall not apply to students eligible for  
7 assistance provided under the federal McKinney-Vento Homeless  
8 Assistance Act of 1987, including unaccompanied youth who are  
9 not under the physical custody of a parent or legal guardian."

10 SECTION 3. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on June 30, 3000.



**Report Title:**

Department of Education; Enrollment; Certificate of Release

**Description:**

Requires a minor student's parent or legal guardian, rather than the student, to produce the required student records when transferring schools. Clarifies that emancipated minors may produce the required student records when transferring schools. Clarifies that the transfer process is the same whether a transfer is within the same complex area or to another complex area. Exempts students eligible for assistance provided under the federal McKinney-Vento Homeless Assistance Act of 1987 from producing required student records when transferring schools. Effective 6/30/3000. (HD1)

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

