

Honolulu, Hawaii

FEB 15 2023

RE: S.B. No. 1343

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Education, to which was referred S.B. No. 1343 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify that in addition to a parent or legal guardian, emancipated minors may also produce the required student records when transferring schools; and
- (2) Clarify that the transfer process is the same whether a transfer is within the same complex area or to another complex area.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that, when a student who is under the age of eighteen transfers schools, existing law requires the student to submit to the enrolling school a certificate of release obtained from the school last attended. As minors do not have legal capacity independent of their parents, your Committee notes that it is more appropriate for the parent or legal guardian of the minor student to produce and submit the certificate of release. In instances where a minor is emancipated, the



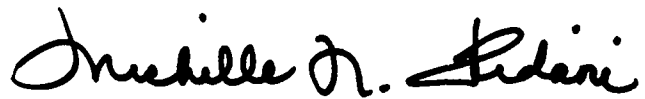
emancipated minor should be empowered to produce and submit the certificate of release. This measure expands the authority to produce a certificate of release for the minor student to the student's parent, legal guardian, or an emancipated minor.

Your Committee has amended this measure by:

- (1) Clarifying that requirements shall not apply to McKinney-Vento eligible students, including unaccompanied minors who are not under the physical custody of a parent or legal guardian; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1343, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1343, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Education,



MICHELLE N. KIDANI, Chair



