

STAND. COM. REP. NO.

930

Honolulu, Hawaii

MAR 02 , 2023

RE: H.B. No. 1045
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1045, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Adjust the responsibility for producing a certificate of release from certain minor students to the student's parent or legal guardian; and
- (2) Exempt students eligible for assistance provided under the federal McKinney-Vento Homeless Assistance Act of 1987 from producing required student records when transferring schools.

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

Your Committee finds that when a minor student transfers schools, the student is required to submit to the enrolling school a certificate of release obtained from the school the student last attended. However, because minors do not have legal capacity independent of their parents or legal guardians, your Committee further finds that it is more appropriate for the parent or legal

2023-1877 HB1045 HD1 HSCR HMSO

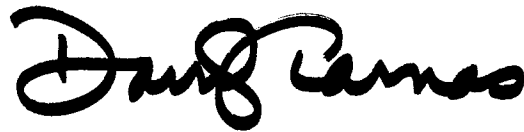


guardian to obtain and submit the certificate of release, unless the student is an emancipated minor.

Your Committee also finds that under the McKinney-Vento Homeless Assistance Act of 1987, unaccompanied homeless youth are not in the physical custody of a parent or legal guardian and experience unstable housing. This measure will clarify that McKinney-Vento eligible students are entitled to enroll in school immediately, even though they may lack documents normally required for enrollment.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1045, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 1045, HD 1	Committee Referral: EDN, JHA	Date: 2/16/2023		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. TAKAYAMA, Gregg (VC)	✓			
3. GANADEN, Sonny	✓			
4. HOLT, Daniel	/			
5. HASHIMOTO, Troy N.	/			
6. ICHIYAMA, Linda	/			
7. ILAGAN, Greggor	/			
8. KONG, Sam Satoru	/			
9. MIZUNO, John M.	/			
10. SOUZA, Kanani	/			
TOTAL (10)	10	—	—	—
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				