STAND. COM. REP. NO.



Honolulu, Hawaii

FEB 1 5 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:

- 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



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

Your Committee has amended this measure by:

- 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



## The Senate Thirty-Second Legislature State of Hawaiʻi

## Record of Votes Committee on Education EDU

Bill / Resolution No.:* Co	Committee Referral: Date:					
5B1343 E	B1343 EDU, JDC 2/10/23					
The Committee is reconsidering its previous decision on this measure.						
If so, then the previous decision was to:						
The Recommendation is:						
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313						
Members		Aye	Aye (WR)	Nay	Excused	
KIDANI, Michelle N. (C)						
KIM, Donna Mercado (VC)						
KANUHA, Dru Mamo		1				
RICHARDS, III, Herbert M. "Tim"						
FEVELLA, Kurt						
TOTAL		5				
Recommendation:						
Adopted Not Adopted						
Chair's or Designee's Signature:						
Distribution: Original Yellow Pink Goldenrod   File with Committee Report Clerk's Office Drafting Agency Committee File Copy						

\*Only <u>one</u> measure per Record of Votes