



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/05/2026
Time: 02:00 PM
Location: 309 VIA VIDEOCONFERENCE
Committee: EDN

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB2168, RELATING TO THE EDUCATION OF STUDENTS EXPERIENCING HOMELESSNESS.

Purpose of Bill: Requires the department of education to establish a program for the support of students experiencing homelessness. Requires the department to designate a coordinator position and navigator positions to implement the program.

Department's Position:

The Hawaii State Department of Education (Department) supports the intent of HB2168 and appreciates efforts to codify the core protections of the federal McKinney-Vento Homeless Assistance Act into state statute. HB2168 appropriately establishes a statewide program to identify, enroll, and support students experiencing homelessness. However, the Department recommends the following amendments to align with its structure and current program.

First, on page 2, lines 17 to 20:

(b) The department shall designate a district state coordinator for students experiencing homelessness who shall oversee the program, provide training and assistance, and coordinate interagency and community partnerships.

Second, on page 3, lines 1 to 3:

(c) The department shall establish state navigator positions ~~within the district~~ in the following roles or areas that shall operate under the direction and supervision of the coordinator:

Third, on page 3, lines 14 to 18:

(e) The program shall ensure that students experiencing homelessness, including unaccompanied youth, ~~have access to attend the school in their service area regardless of necessary documentation, including birth certificates, immunization records, guardianship records, or school records.~~ have the right to attend either the school serving the geographic area in which the student is currently residing or the

student's school of origin, regardless of the availability of documentation, including birth certificates, immunization records, guardianship records, or school records. The choice of school shall be based on the student's best interest and shall prioritize educational stability.

Fourth, on page 4, lines 1 to 3:

(g) The coordinator program shall ensure that students experiencing homelessness have access to all available educational programs and services, including preschool and extracurricular activities.

Fifth, on page 4, lines 4 to 6:

h) The coordinator program shall provide training for administrators, counselors, teachers, and staff regarding the implementation of the program.

Sixth, to further strengthen alignment with these federal mandates, the Department suggests adding the following provision regarding enrollment disputes:

If a dispute arises over eligibility, or school selection or enrollment in a school—

(i) the child or youth shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;

(ii) the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the local educational agency, or the State educational agency involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions;

(iii) the parent, guardian, or unaccompanied youth shall be referred to the local educational agency liaison, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute; and

(iv) in the case of an unaccompanied youth, the liaison shall ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of such dispute.

Finally, the Department has concerns regarding the funding mechanism outlined on page 4, section 2(i). As currently drafted, SB2168 states, "The department shall implement the program in this section with available federal funds." This language creates a precarious mandate in which the program's survival is tied exclusively to federal funding; if federal funding fluctuates or ceases, the program, as written, would effectively end.

It is important to note that the state already demonstrates its commitment by funding a significant portion of this program, which includes 17 full-time state and complex area positions. While federal funds remain vital, they are intended to supplement, not replace, the state's foundational responsibility to its students.

The Department seeks to maintain existing state investments and reduce reliance on unpredictable federal funding.

Thank you for the opportunity to testify on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

H.B. NO. 2168, RELATING TO THE EDUCATION OF STUDENTS EXPERIENCING HOMELESSNESS.

BEFORE THE:

HOUSE COMMITTEE ON EDUCATION

DATE: Thursday, February 5, 2026 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 309

TESTIFER(S): Anne E. Lopez, Attorney General, or
Anne T. Horiuchi or Randall M. Wat, Deputy Attorneys General

Chair Woodson and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments.

The bill requires the Department of Education to establish a program to support students experiencing homelessness and designate a coordinator position and navigator positions to implement the program.

Section 2 of the bill adds a new section 302A- to subpart C of part II of chapter 302A, Hawaii Revised Statutes (HRS). Subsection (e) (page 3, lines 14-18) requires the program to ensure that students experiencing homelessness, including unaccompanied youth, are able to attend school in their service area "regardless of necessary documentation, including . . . immunization records[.]"

This provision directly conflicts with section 302A-1154(a), HRS, which provides that no child may attend any school in the State unless the child presents documentation satisfactory to the Department of Health showing that the child has received the required immunizations against communicable diseases. The proposed provision also does not fall within any of the existing exemptions set forth in section 302A-1156, HRS.

If the Legislature intends to permit students who lack immunization documentation to attend school, we recommend that the bill be amended to resolve this

Testimony of the Department of the Attorney General

Thirty-Third Legislature, 2026

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statutory conflict. Specifically, the Department recommends either: (1) amending section 302A-1154, HRS, to allow such students to attend school, with any grace period or conditions to be determined by the Legislature; or (2) amending section 302A-1156, HRS, to expressly exempt students covered by proposed section 302A- from the immunization documentation requirement.

Thank you for the opportunity to provide comments on this bill.

Judith F. Clark
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Kaneohe, Hawaii 96744

February 4, 2026

To: Representative Justin Woodson, Chair,
And members of the Committee on Education

**Testimony in Support of HB 2168 Relating to the Education of Students
Experiencing Homelessness**

As a community advocate, the former Executive Director of Hawaii Youth Services Network, and a person with lived experience of youth homelessness, I strongly support HB 2168.

Homeless students experience many challenges and barriers in obtaining educational services. The supports and services mandated by the federal McKinney-Vento Act and implemented in Hawaii Schools through the Education for Homeless Children and Youth Office enable many homeless students to participate in school.

This bill will ensure that these critically needed services will continue even if federal mandates and funding are ended. This bill provides a safety net for our most vulnerable children and youth.

Thank you for this opportunity to testify.

Sincerely,


Judith F. Clark, MPH

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



RYAN I. YAMANE
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
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TRISTA SPEER
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

February 4, 2026

TO: The Honorable Representative Justin H. Woodson, Chair
House Committee on Education

FROM: Jun D. Yang, Coordinator on Homelessness
Statewide Office on Homelessness and Housing Solutions

SUBJECT: **HB2168 – RELATING TO THE EDUCATION OF STUDENTS EXPERIENCING
HOMELESSNESS**

Hearing: February 5, 2026, Time 2:00 p.m.
Conference Room 309 & Via Videoconference, State Capitol

AGENCY'S POSITION: The Statewide Office on Homelessness and Housing Solutions (SOHHS) submits this testimony in support of HB2168, which relates to the education and support of students experiencing homelessness.

The purpose of this measure is to ensure educational stability and access for students experiencing homelessness by requiring the Department of Education to establish a formal program to identify, enroll, and support these students, regardless of future changes to federal law or funding. Specifically, this bill establishes a district coordinator and navigator positions, strengthens interagency and community coordination, ensures immediate enrollment and access to transportation and services, and formalizes protections currently provided under federal law at the state level.

SOHHS supports this measure because educational stability is a critical protective factor in preventing and reducing long-term homelessness. Children and youth experiencing housing instability face significant barriers that, if unaddressed, increase their risk of continued

homelessness and poor life outcomes into adulthood. By institutionalizing clear roles, coordination, and accountability within the Department of Education, this bill strengthens Hawai'i's capacity to intervene early and effectively.

This measure directly advances the goals of the Hawai'i Interagency Council on Homelessness (HICH) Ten-Year Strategic Plan, which emphasizes cross-system coordination, prevention, and targeted interventions for vulnerable populations. The plan recognizes that preventing homelessness requires action upstream, including stabilizing families and children before crises escalate. By formalizing collaboration between education systems, service providers, and community partners, HB2168 supports the Plan's focus areas of Organization and Leadership, reinforces a housing-focused and prevention-oriented approach, and helps close pathways into chronic homelessness.

SOHHS also supports this bill's intent to ensure continuity and stability for students experiencing homelessness, particularly in light of uncertainty at the federal level. Embedding these protections in state law strengthens Hawai'i's overall homelessness response system and aligns education policy with broader statewide efforts to reduce homelessness through coordinated, data-informed strategies.

For these reasons, SOHHS respectfully urges the Committee to pass HB2168. Thank you for the opportunity to provide testimony and for your continued commitment to supporting Hawai'i's keiki and families experiencing homelessness.

HB-2168

Submitted on: 2/3/2026 3:56:05 PM
Testimony for EDN on 2/5/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Comments	Written Testimony Only

Comments:

Aloha Chair and Committee members,

My comments are that I believe that there should be a person and program. The reason that I am not supporting at this point is that I thought that the DOE already had a position to assist unhoused students?? Is this something new or different?

If there is no current program then I am in full SUPPORT of there being one with a coordinator for each island/district who would understand the needs of that place which we know are different. This should be funded and also be accountable.

As a long time educator, we know that there is a need in our communities. We also know that western systemic solutions are not always the best path. All of this needs to be considered when looking at a program and coordinator.

Mahalo

Cheryl Burghardt

Nuuanu Oahu

HB-2168

Submitted on: 2/4/2026 8:44:42 AM
Testimony for EDN on 2/5/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
JR Dowd	Individual	Support	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Members of the Committee,

My name is JR Dowd from Makiki and I am writing in strong support of this measure. As someone who works with students and families experiencing homelessness, providing more supports for them through the Office for the Education of Homeless Children and Youth (EHCY) program creates more pathways out of homelessness for our keiki. Also, given the instability at the Federal level, putting the MVA into state statutes helps to protect our families from further chicanery.

Thank you for the opportunity to testify.

JR Dowd

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