
A BILL FOR AN ACT

RELATING TO THE EDUCATION OF STUDENTS EXPERIENCING HOMELESSNESS.

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

1 SECTION 1. The legislature finds that children and youth
2 who lack a fixed, regular, and adequate nighttime residence face
3 significant barriers to enrollment, attendance, and academic
4 success. The education of Hawaii's keiki is a fundamental
5 responsibility of the department of education. As the number of
6 families and students experiencing homelessness in the State
7 continues to rise, it is essential that students facing housing
8 instability are provided with the access and support necessary
9 to obtain a quality education and achieve long-term success.

10 Under existing federal law, students experiencing
11 homelessness are afforded specific rights and protections
12 designed to remove barriers to enrollment and participation in
13 school, including immediate enrollment regardless of
14 documentation, full inclusion in academic and extracurricular
15 activities, access to free meals and basic school supplies, and
16 transportation when required to maintain educational stability.
17 In light of ongoing uncertainty at the federal level and the



1 potential for changes to funding or statutory protections, the
2 legislature finds it prudent to protect these rights, benefits,
3 and privileges in the State to ensure their continuity
4 regardless of future federal action.

5 The purpose of this Act is to ensure educational stability
6 and access for students experiencing homelessness by requiring
7 the department of education to establish a program that protects
8 their rights, benefits, and protections, regardless of future
9 changes to federal law or funding.

10 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
11 amended by adding a new section to part II, subpart C to be
12 appropriately designated and to read as follows:

13 **"§302A- Students experiencing homelessness; program;**
14 **coordinator; established.** (a) The department shall establish a
15 program to identify, enroll, and support students who are
16 experiencing homelessness.

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



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

4 (1) Outreach;

5 (2) Early learning;

6 (3) Reengagement;

7 (4) Transportation;

8 (5) Compact of free association; and

9 (6) General support.

10 (d) Each department complex area shall designate a liaison
11 who shall be responsible for carrying out the program in the
12 complex area and coordinating with the respective navigators,
13 administrators, and services providers.

14 (e) The program shall ensure that students experiencing
15 homelessness, including unaccompanied youth, have the right to
16 attend either the school serving the geographic area in which
17 the student is currently residing or the student's school of
18 origin, regardless of the availability of documentation,
19 including birth certificates, immunization records, guardianship
20 records, or school records. The choice of school shall be based



1 on the student's best interest and shall prioritize educational
2 stability.

3 (f) If a dispute arises over eligibility, school
4 selection, or enrollment in a school:

5 (1) The student experiencing homelessness shall be
6 immediately enrolled in the school in which enrollment
7 is sought, pending final resolution in the dispute,
8 including all available appeals;

9 (2) The parent or guardian of the student experiencing
10 homelessness or the unaccompanied youth shall be
11 provided with a written explanation of any decisions
12 related to school selection or enrollment made by the
13 school or the department, including the rights of the
14 parent, guardian, or unaccompanied youth to appeal the
15 decisions;

16 (3) The parent or guardian of the student experiencing
17 homelessness or the unaccompanied youth shall be
18 referred to the department liaison, who shall carry
19 out the dispute resolution process as expeditiously as
20 possible after receiving notice of the dispute; and



1 (4) In the case of unaccompanied youth, the liaison shall
2 ensure that the unaccompanied youth is immediately
3 enrolled in the school in which the youth seeks
4 enrollment, pending resolution of the dispute.

5 (g) The program shall ensure that students experiencing
6 homelessness have appropriate transportation to and from their
7 school according to rules adopted pursuant to section 302A-406.

8 (h) The program shall ensure that students experiencing
9 homelessness have access to all available educational programs
10 and services, including preschool and extracurricular
11 activities.

12 (i) The program shall provide training for administrators,
13 counselors, teachers, and staff regarding the implementation of
14 the program.

15 (j) The department shall adopt rules pursuant to chapter
16 91 for the purposes of this section.

17 (k) As used in this section:

18 "Coordinator" means the designated state coordinator for
19 students experiencing homelessness.



1 "Student experiencing homelessness" means a student who
2 lacks a fixed, regular, and adequate nighttime residence,
3 including a student who:

4 (1) Shares housing with others due to loss of housing,
5 economic hardship, or a similar reason;

6 (2) Lives in motels, hotels, trailer parks, or camping
7 grounds due to lack of alternative adequate
8 accommodations;

9 (3) Lives in emergency or transitional shelters;

10 (4) Has a primary nighttime residence that is a public or
11 private place not designed for or ordinarily used as a
12 regular sleeping accommodation for human beings;

13 (5) Lives in cars, parks, abandoned buildings, substandard
14 housing, bus or train stations, or similar settings;
15 or

16 (6) Is a migratory child living in circumstances described
17 above.

18 "Unaccompanied youth" means a student experiencing
19 homelessness who is not in the physical custody of a parent or
20 legal guardian."

21 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

DOE; Education; Student Services; Students Experiencing
Homelessness; Program

Description:

Requires the Department of Education to establish a program for the support of students experiencing homelessness. Requires the Department to designate a state coordinator position and state navigator positions to implement the program. Effective 7/1/3000. (HD1)

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

