
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 these student's rights, benefits, and protections, regardless of
9 future 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. If immunization records are
21 unavailable, the student shall be permitted to attend



1 provisionally in accordance with section 302A-1155, while the
2 program works to satisfy that section's requirements. The
3 choice of school shall be based on the student's best interest
4 and shall prioritize educational stability.

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

7 (1) Notwithstanding section 302A-1154(a) to the contrary,
8 the student experiencing homelessness shall be
9 immediately enrolled in the school in which enrollment
10 is sought, pending final resolution in the dispute,
11 including all available appeals; provided that if the
12 student experiencing homelessness lacks immunization
13 documentation, the provisional attendance requirements
14 of section 302A-1155(b) shall apply;

15 (2) The parent or guardian of the student experiencing
16 homelessness or the unaccompanied youth shall be
17 provided with a written explanation of any decisions
18 related to school selection or enrollment made by the
19 school or the department, including the rights of the
20 parent, guardian, or unaccompanied youth to appeal the
21 decisions;



- 1 (3) The parent or guardian of the student experiencing
2 homelessness or the unaccompanied youth shall be
3 referred to the department liaison, who shall carry
4 out the dispute resolution process as expeditiously as
5 possible after receiving notice of the dispute; and
- 6 (4) In the case of unaccompanied youth, the liaison shall
7 ensure that the unaccompanied youth is immediately
8 enrolled in the school in which the youth seeks
9 enrollment, pending resolution of the dispute.
- 10 (g) The program shall ensure that students experiencing
11 homelessness have appropriate transportation to and from their
12 school according to rules adopted pursuant to section 302A-406.
- 13 (h) The program shall ensure that students experiencing
14 homelessness have access to all available educational programs
15 and services, including preschool and extracurricular
16 activities.
- 17 (i) The program shall provide training for administrators,
18 counselors, teachers, and staff regarding the implementation of
19 the program.
- 20 (j) The department shall adopt rules pursuant to chapter
21 91 for the purposes of this section.



- 1 (k) As used in this section:
- 2 "Coordinator" means the designated state coordinator for
- 3 students experiencing homelessness.
- 4 "Student experiencing homelessness" means a student who
- 5 lacks a fixed, regular, and adequate nighttime residence,
- 6 including a student who:
- 7 (1) Shares housing with others due to loss of housing,
- 8 economic hardship, or a similar reason;
- 9 (2) Lives in motels, hotels, trailer parks, or camping
- 10 grounds due to lack of alternative adequate
- 11 accommodations;
- 12 (3) Lives in emergency or transitional shelters;
- 13 (4) Has a primary nighttime residence that is a public or
- 14 private place not designed for or ordinarily used as a
- 15 regular sleeping accommodation for human beings;
- 16 (5) Lives in cars, parks, abandoned buildings, substandard
- 17 housing, bus or train stations, or similar settings;
- 18 or
- 19 (6) Is a migratory child living in circumstances described
- 20 above.



1 "Unaccompanied youth" means a student experiencing
2 homelessness who is not in the physical custody of a parent or
3 legal guardian."

4 SECTION 3. Section 302A-1155, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) A child may attend school provisionally upon
7 submitting written documentation from a licensed physician,
8 physician assistant, advanced practice registered nurse, or an
9 authorized representative of the department of health stating
10 that the child is in the process of receiving the required
11 immunizations. Further documentation showing that the required
12 immunizations have been completed shall be submitted to the
13 appropriate school official no later than three months after the
14 child first attends the school. If all of the required
15 immunizations cannot be completed within three months due to the
16 length of the minimum intervals between doses of a particular
17 vaccine required by the department of health, provisional
18 attendance may be extended so long as the child's parent or
19 guardian provides documentation that appointments for required
20 immunizations have been made and that progress toward completing
21 the immunizations continues in accordance with the requirements



1 of the department of health. Students experiencing homelessness
2 who are identified and enrolled in the program established
3 pursuant to section 302A- (a) may attend school provisionally
4 in accordance with this section."

5 SECTION 4. New statutory material is underscored.

6 SECTION 5. 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. (HD2)

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

