

Honolulu, Hawaii  
February 11, 2014

RE: H.B. No. 1796  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 1796 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to promote the safety and well-being of students, staff, and others by establishing policies and procedures for the use of restraint and seclusion in public schools.

The Department of Education, State Council on Developmental Disabilities, Hawaii Disability Rights Center, Special Education Advisory Council, and numerous concerned individuals supported this measure. The Community Children's Council of Hawaii supported this measure with amendments.

Your Committee has amended this bill by:

- (1) Amending requirements for the written information about policies and procedures for restraint or seclusion that parents and legal guardians receive from the Department of Education, including by adding a brief summary describing the training received by public school staff;
- (2) Clarifying that it is the Board of Education that must establish a policy regarding the use of restraint and



seclusion in public schools and the Department of Education that must establish related procedures;

- (3) Adding training in a wide array of prevention and intervention modalities to the training that all public school staff who use restraint or seclusion in facilities or programs must receive;
- (4) Deleting provisions regarding the State Quality Assurance Team;
- (5) Requiring the review of data on students who were restrained or secluded to be conducted as directed by each Complex Area Superintendent;
- (6) Amending definitions for consistency and clarifying the definition of "restraint"; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 1796, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1796, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Education,



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ROY M. TAKUMI, Chair



