



# Native Hawaiian LEGAL CORPORATION

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Yesterday, the Supreme Court of the State of Hawai'i ruled that the Department of Education must provide "reasonable access to a Hawaiian immersion program" to students on Lāna'i.

The lawsuit, *Clarabal v. Department of Education of the State of Hawai'i*, was filed by Chelsa Clarabal, a Lāna'i resident, on behalf of herself and her two daughters. Represented by attorneys from the Native Hawaiian Legal Corporation, Ms. Clarabal sought to require the DOE to provide access to a Hawaiian immersion education on Lāna'i. While there are Hawaiian immersion schools on five of the major Hawaiian Islands, none exists on Lāna'i despite considerable interest from the community.

Article X, section 4 of the Hawai'i State Constitution requires the State to provide a Hawaiian education program that includes 'ōlelo Hawai'i instruction in the public schools. The Court found that reviving 'ōlelo Hawai'i is required by the Constitution and "essential to the preservation and perpetuation of Hawaiian culture." Based on the evidence and legal arguments Clarabal and her attorneys put forward, the Supreme Court concluded that "providing reasonable access to a Hawaiian immersion program is an essential component of any Hawaiian education program reasonably calculated to revive and preserve 'ōlelo Hawai'i, and is thus required by [the Hawai'i State Constitution]."

"Mahalo ke Akua. It is truly a blessing to have been able to bring this case for not only my daughters but for all of the families on Lāna'i," Clarabal said upon reflection. In seeking to give families on Lāna'i the same opportunity to access a Hawaiian immersion program available on other islands, Clarabal explained that, "We were all created as counterparts. Fairness and equality for Lāna'i is what we strived to achieve."

**I ka 'ōlelo no ke ola, i ka 'ōlelo no ka make.** *In language, there is life and in language, there is death.* Native Hawaiian Legal Corporation is proud of its 45-year tradition of fighting for Native Hawaiian rights all across our State, including the revitalization of 'ōlelo Hawai'i.

**About the Native Hawaiian Legal Corporation (NHLC):** We are a 501(c)(3) nonprofit, public interest law firm that practices exclusively in the area of Native Hawaiian rights law. We provide legal services and other advocacy to families and communities who practice and perpetuate the culture and traditions of Hawai'i's indigenous people. Seeded from a 1974 grass roots movement to help families protect their ancestral lands, what was once a volunteer-run referral service is now Hawai'i's preeminent Native Hawaiian rights law firm servicing approximately 400 clients annually. For more information, visit [www.nhlchi.org](http://www.nhlchi.org)