

STAND. COM. REP. NO.

1233

Honolulu, Hawaii

MAR 23 2007

RE: H.B. No. 19
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Education, to which was referred H.B. No. 19, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to ensure the effective and efficient use of school facilities within the State by establishing a Facilities Alignment Commission to develop criteria and make recommendations for public schools to be constructed, expanded, consolidated, or closed.

Testimony in support of this measure was submitted by the Department of Budget and Finance and the Land Use Research Foundation of Hawaii. Testimony in opposition to this measure was submitted by the Department of Education.

Your Committee finds that shifts in demographics within regions of the State necessitate the expansion or construction of schools in areas of rapid population growth. Conversely, other areas support facilities that are currently being underutilized due to movement away from urban centers into the suburbs and require consolidation or closure. Your Committee further finds that decisions regarding which schools or areas are affected should be carefully examined, taking into consideration the many interests involved and the potential impacts on the students, the community, the Department of Education, and the State.



Your Committee believes that the dynamic of the current demographic shifts requires a comprehensive approach to determining where and when public schools should be constructed, expanded, consolidated, or even closed. This measure establishes a Facilities Alignment Commission to develop appropriate criteria and make recommendations for areas for new school construction or school expansion, consolidation, or closure. The Facilities Alignment Commission's work can help to revitalize school facilities within the State by more efficiently and effectively utilizing public resources. Your Committee, however, believes that in addition to the work of the Facilities Alignment Commission, the Board of Education should also monitor schools that may potentially become underutilized, thereby requiring action, and contemplate alternative uses for underutilized facilities apart from closure.

Additionally, your Committee finds that smaller learning communities provide great benefits to teachers, students, and parents, including allowing teachers to establish more personalized relationships with students, which in turn fosters increased academic success. The establishment of smaller learning communities as an alternative to school closures or consolidations is a positive policy that can allow existing schools and school facilities to be efficiently and effectively utilized. Your Committee determines that the establishment of specific criteria for smaller schools or schools-within-schools to satisfy the creation of smaller learning communities is also necessary to help to assure that smaller learning communities will provide a successful approach to high student achievement.

Finally, your Committee believes that public school land that is not being utilized should not be sold unless the land is without any potential for being used for educational purposes. This will ensure that redevelopment or alternative options will be considered and can be facilitated before public school lands are returned to the Department of Land and Natural Resources. In line with the foregoing philosophy, this measure should also require the Department of Education to identify unused public school facilities that may be used for early childhood education programs before considering school closures or consolidation.

Accordingly, your Committee has amended this measure by:



- (1) Requiring the Board of Education to report to the Legislature on plans for underutilized facilities that includes:
 - (A) Schools earmarked for possible closure;
 - (B) A schools and facilities watch list; and
 - (C) Alternative potential uses for underutilized schools or facilities;
- (2) Appropriating funds for both years of the 2007-2008 fiscal biennium, to coincide with the Facilities Alignment Commission's duration of existence;
- (3) Including a new part in chapter 302A, Hawaii Revised Statutes, that will facilitate enhanced teaching environments through the establishment of smaller learning communities, by, among other things, requiring smaller schools or schools-within-schools to:
 - (A) Select and operate under a school specialty status, including magnet, academy, or other specialty;
 - (B) Develop personalized plans for each student; and
 - (C) Create and maintain portfolios for each student;
- (4) Including as a condition to selling state lands once used for school purposes, a finding that the land is without potential of being used for other educational purposes;
- (5) Requiring the Department of Education to give priority to early childhood education learning facilities over executing school closures or consolidations; and
- (6) Making technical, nonsubstantive changes for purposes of clarity and to reflect preferred drafting 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. 19, H.D. 2, as amended herein, and recommends that it pass Second



Reading in the form attached hereto as H.B. No. 19, H.D. 2,
S.D. 1, and be referred to the Committee on Ways and Means.

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



NORMAN SAKAMOTO, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* HB 19 HD2	Committee Referral: EDU, WAA	Date: 03/16/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAKAMOTO, Norman (C)	X			
TOKUDA, Jill N. (VC)	X			
CHUN OAKLAND, Suzanne	X			
HEE, Clayton				X
NISHIHARA, Clarence K.				X
TANIGUCHI, Brian T.				X
GABBARD, Mike	X			
TOTAL	4	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes