
A BILL FOR AN ACT

RELATING TO THE HAWAII HIGHER EDUCATION COMMISSION.

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

1 SECTION 1. The legislature finds that as Hawaii's
2 technology sector grows, and as technology becomes embedded in
3 many of our more traditional industries, there is a growing need
4 for a workforce that has basic science, technology, engineering
5 and mathematical skills, as well as graduates with specialized
6 science and engineering degrees. Some states are addressing
7 their science, technology, engineering, and math education, as
8 well as other strategic post-secondary education needs through a
9 strong commission on higher education. Examples include New
10 Jersey, California, Arizona, and Maryland, among others. In
11 these states, the commission helps coordinate an integrated
12 system of higher education that includes both public and private
13 institutions.

14 Common goals of these commissions include: increasing the
15 rate of students pursuing post-secondary education; improving
16 access to education, training, and lifelong learning; engaging
17 the business community in setting goals and objectives; and

1 changing public perceptions and aspirations regarding higher
2 education.

3 In Hawaii, the state post-secondary education commission,
4 established by section 304A-3151, Hawaii Revised Statutes, has a
5 limited scope. Its legislative mandate is primarily to serve as
6 a vehicle for receiving federal funds and there is a brief
7 section authorizing the commission to develop procedures for
8 receiving and responding to complaints. Most of the seats are
9 assigned to representatives of the University of Hawaii,
10 including all of the board of regents, and the commission is
11 placed administratively in the University of Hawaii, with the
12 university president designated as the administrative officer of
13 the commission.

14 The legislature further finds that a state post-secondary
15 education commission with broader representation and a more
16 comprehensive mandate would better serve the State's needs
17 relative to meeting the challenges of a global economy. A
18 commission with representatives from all public and private
19 institutions of higher education, government, business, and the
20 general public could develop a vision and a strategy to move
21 Hawaii toward excellence in the twenty-first century.

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1 The purpose of this Act is to amend chapter 304A, Hawaii
2 Revised Statutes, to broaden the representation on the state
3 post-secondary education commission and expand its mission.

4 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
5 amended by amending the title of subpart C of part VII to read
6 as follows:

7 "C. [STATE POST-SECONDARY] HAWAII HIGHER EDUCATION
8 COMMISSION"

9 SECTION 3. Section 304A-3151, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "~~[+]§304A-3151[+]~~ **Establishment of the [state post-**
12 **secondary] Hawaii higher education commission; membership,**
13 **administration.** There is established a state [~~post-secondary~~
14 ~~education]~~ commission[-] on higher education to be known as the
15 Hawaii higher education commission. The commission shall
16 consist of [~~the members of the board of regents of the~~
17 ~~university, the provisions of section 78-4 notwithstanding, and~~
18 ~~four other members who shall be broadly and equitably~~
19 ~~representative of the general public and public and private~~
20 ~~nonprofit and proprietary institutions of post-secondary~~
21 ~~education in the State who shall be appointed]~~ no more than
22 nineteen members to be appointed by the governor in accordance

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1 with section 26-34[-] to include the following, the provisions
2 of section 78-4 notwithstanding:

- 3 (1) The president of the University of Hawaii;
- 4 (2) The president of Brigham Young University-Hawaii;
- 5 (3) The president of Chaminade University;
- 6 (4) The president of Hawaii Pacific University;
- 7 (5) The superintendent of education;
- 8 (6) The executive director of the Hawaii Association of
9 Independent Schools;
- 10 (7) The director of business, economic development, and
11 tourism;
- 12 (8) The director of labor and industrial relations;
- 13 (9) The chair of the governor's innovation council;
- 14 (10) Four members of Hawaii's business community, from
15 different economic sectors;
- 16 (11) Four members of the general public, one from each
17 county; and
- 18 (12) Two university students, to serve terms of one year,
19 to be nominated by the student governing body of their
20 respective institutions.

21 The chair of the commission shall initially be appointed by the
22 governor for a term of one year, following which the chair shall

1 be elected by the members of the commission. The commission
2 shall be placed within the University of Hawaii for
3 administrative purposes [~~, and its administrative officer shall~~
4 ~~be the president of the university~~]. The commission may appoint
5 necessary staff members to carry out its mandate in accordance
6 with applicable policies and procedures of the university [~~],~~
7 and as provided for in the state budget."

8 SECTION 4. Section 304A-3152, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "[~~]~~**§304A-3152**[~~]~~ **Commission's powers and authority.** (a)
11 The commission may cooperate with the federal government to
12 qualify the State to receive federal funds made available under
13 the Higher Education Act of 1965, Public Law 89-329, as amended
14 from time to time, and in addition may serve as the state agency
15 for the receipt of federal funds when federal legislation
16 dealing with higher education or post-secondary education
17 requires, as a condition of state receipt of such funds, the
18 designation of a state agency that is broadly representative of
19 the general public and of post-secondary education in the State
20 and when agencies other than the commission created by this
21 subpart may not qualify. The commission also may receive funds
22 from other sources to carry out its mandate. The commission

1 shall adopt appropriate rules not inconsistent with this subpart
2 as may be required to administer this subpart. The rules shall
3 be adopted in accordance with chapter 91.

4 (b) No funds appropriated by the legislature may be used
5 to aid a person attending an institution not owned or
6 exclusively controlled by the State or a department of the State
7 or to pay for any staff work distributing federal or private
8 funds to students attending such schools. The maximum amount of
9 any grant awarded under the Hawaii state incentive grant program
10 shall be equal to the maximum allowed by federal law.

11 (c) The commission shall propose and manage a program to
12 provide incentives, such as scholarships, grants, and loans,
13 including specific programs designed to meet workforce needs,
14 such as science, technology, engineering, and math scholarships
15 or loan forgiveness plans.

16 (d) The commission shall have the authority to evaluate
17 Hawaii's elementary and secondary public schools, including
18 their ability to prepare Hawaii's students for post-secondary
19 education.

20 (e) The commission shall have the authority to review and
21 recommend policies that increase the rate of students pursuing
22 post-secondary education."

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1 SECTION 5. Section 204A-3154, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~[§]304A-3154[§]~~ **Cooperation with other state agencies.**

4 The commission may be assisted by other state agencies,
5 including but not limited to the University~~[of]~~ of Hawaii, the
6 department of education, ~~[and]~~ the department of commerce and
7 consumer affairs~~[and]~~, the department of business, economic
8 development, and tourism, and the department of labor and
9 industrial relations."

10 SECTION 6. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 7. This Act shall take effect on July 1, 2008.
13 The commission members serving on June 30, 2008 shall continue
14 their duties until the new commission as constituted by this Act
15 is appointed.

16
17 INTRODUCED BY: Celine Ky. Au

18 BY REQUEST

JAN 22 2008

Report Title:

Hawaii higher education commission; University of Hawaii; post-secondary education

Description:

Rename the state post-secondary education commission to the Hawaii higher education commission, broaden the membership, and expand the powers and authority.

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development, and Tourism

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAII HIGHER EDUCATION COMMISSION.

PURPOSE: To improve the quality of higher education in Hawaii through the renaming of the state post-secondary education commission to the Hawaii higher education commission, broadening the membership, and expanding the powers and authority of the commission to provide an integrated approach to higher education in the State that will more aggressively help the State meet the needs of a 21st century economy.

MEANS: Amend the title of subpart C of part VII of chapter 304A and sections 304A-3151, 304A-3152, and 304A-3154, Hawaii Revised Statutes.

JUSTIFICATION: As Hawaii's technology sector grows, and as technology becomes embedded in many of our more traditional industries, there is a growing need for a workforce that has basic science, technology, engineering and mathematical (STEM) skills, as well as graduates with specialized STEM degrees. The concept of a pipeline to produce a STEM-literate population was at the core of the Innovation in Education proposals submitted to the 2007 Legislature. The science and technology academies are designed to spark interest and build competence. To complete the commitment to produce a qualified workforce for emerging technology jobs, more STEM college graduates will be needed.

Several states are addressing their STEM education, as well as other strategic post secondary education needs, through a strong Commission on Higher Education. In Hawaii, the State Post-Secondary Education Commission, established by section 304A-

3151, has a very limited scope. Its legislative mandate is primarily to serve as a vehicle for receiving federal funds and there is a brief section authorizing the Commission to develop procedures for receiving and responding to complaints. The Commission is placed administratively in the University of Hawaii and the UH president is the administrative officer of the Commission.

Impact on the public: The ultimate goal of improving the State's ability to provide a quality STEM education is to raise the skill level of Hawaii's workforce, thereby increasing our ability to compete in a global economy, producing higher incomes and a better standard of living for Hawaii's residents.

Impact on the department and other agencies: There will be no direct impact on the department. The University of Hawaii will be impacted by having their responsibilities broadened regarding the new higher education commission and receiving additional resources to improve their ability respond to the mandate.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: BED-120

OTHER AFFECTED AGENCIES: University of Hawaii, Department of Education, Department of Labor and Industrial Relations

EFFECTIVE DATE: July 1, 2008