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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1           SECTION 1. The legislature finds that, with the budgetary  
2 authority and flexibility granted to the public schools, it is  
3 in the public interest to ensure responsiveness and  
4 accountability to the school community. To achieve this, the  
5 legislature believes it is necessary to enhance communication  
6 between various stakeholders and develop a system of decision  
7 making that is transparent to all interested parties.

8           The purpose of this Act is to improve accountability and  
9 transparency in the public schools by:

10           (1) Requiring the department of education, in its  
11 evaluation of the effectiveness of complex area  
12 superintendents and principals in supporting fiscal  
13 accountability, to include an evaluation of the  
14 accountability measures taken in regards to the use of  
15 resources by schools;

16           (2) Requiring each principal to develop and present to the  
17 school community council the school budget process as



- 1           it aligns with the school's academic and financial  
2           plans;
- 3           (3) Requiring the board of education to develop a process  
4           for school community councils to appeal decisions made  
5           by the principal to set aside council decisions; and
- 6           (4) Requiring school principals to exercise various means  
7           available, including electronic media and websites, to  
8           engage and consult with teachers, parents, and  
9           students to solicit input and advice on the use of  
10          money, positions, and other resources available to the  
11          school.

12          SECTION 2. Section 302A-1004, Hawaii Revised Statutes, is  
13 amended by amending subsection (a) to read as follows:

14          "(a) The department shall implement a comprehensive system  
15 of educational accountability to motivate and support the  
16 improved performance of students and the education system. This  
17 accountability system shall:

- 18          (1) Include student accountability; school or collective  
19                accountability; individual professional accountability  
20                for teachers, principals, and other employees; and  
21                public accounting to parents, community members,



- 1 businesses, higher education, media, and political  
2 leadership;
- 3 (2) Link authority and resources to responsibility;
- 4 (3) Define clear roles for all parties and lines of  
5 responsibility and mutual obligation and develop a  
6 collaborative process with stakeholders, including  
7 representatives of appropriate bargaining units,  
8 parents, administration, and students;
- 9 (4) Assess and track measures of academic achievement,  
10 safety and well-being, and civic responsibility of  
11 individual students at selected grade levels and  
12 report trend data on these measures over time  
13 annually;
- 14 (5) Invoke a full and balanced set of appropriate  
15 consequences for observed performance, including  
16 rewards and recognition for those schools that meet or  
17 exceed their goals, assistance to those that fall  
18 short, and sanctions for those that, given adequate  
19 assistance and ample time, continue to fail to meet  
20 goals;
- 21 (6) Involve an annual statewide assessment program that  
22 provides a report card containing trend data on



1 school, school complex, and system performance at  
2 selected benchmark grade levels with performance  
3 indicators in areas relating to student achievement,  
4 safety and well-being, and civic responsibility.

5 These performance indicators shall include [~~but not be~~  
6 ~~limited to~~]:

7 (A) Student performance relative to statewide content  
8 and performance standards; and

9 (B) School attendance and dropout rates;

10 (7) Require that teachers and administrators engage in the  
11 continuous professional growth and development that  
12 ensure their currency with respect to disciplinary  
13 content, leadership skill, knowledge, or pedagogical  
14 skill, as appropriate to their position. This  
15 requirement may be established by the department in  
16 terms of credit hours earned or their equivalent in  
17 professional development activity certified by the  
18 department as appropriate in focus and rigor;

19 (8) Establish an explicit link between professional  
20 evaluation results and individual accountability  
21 through professional development of the knowledge,  
22 skill, and professional behavior necessary to the



1 position, by requiring that results of the  
2 professional evaluation be used by the department to  
3 prescribe professional development focus and content,  
4 as appropriate;

5 (9) Include an annual statewide fiscal accountability  
6 program, which includes a published report card that  
7 contains trend data on school, school complex, and  
8 systemwide plans and results, including:

9 (A) Amounts allocated;

10 (B) Amounts expended;

11 (C) Amounts carried over; and

12 (D) Any significant changes to the budget, with an  
13 explanation for the change;

14 (10) Include an evaluation of the effectiveness of complex  
15 area superintendents and principals in supporting:

16 (A) Students' academic achievement, safety and well-  
17 being, and civic responsibility; and

18 (B) The satisfaction of stakeholders affected by the  
19 work of the complex area superintendents and  
20 principals, which may be measured by broadbased  
21 surveys; and



1 (C) Fiscal accountability~~[-]~~, including  
2 implementation of section 302A-1308."

3 SECTION 3. Section 302A-1103, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "**§302A-1103 Principal; authority and responsibility.** The  
6 role of the principal shall include ~~[but not be limited to]~~  
7 overseeing the day-to-day management of the school, the primary  
8 function of which is to develop and deliver instructional  
9 services to students in accordance with statewide educational  
10 policy and to enable students to meet or exceed statewide  
11 academic standards. The principal shall:

12 (1) Ensure that the curriculum facilitates the achievement  
13 of the statewide student performance standards adopted  
14 for the public school system;

15 (2) Develop and present to the school community council  
16 for its review and approval, academic and financial  
17 plans relating to the school;

18 (3) Exercise authority over the implementation of the  
19 budget, policies, and operations of the school; ~~[and]~~

20 (4) Develop and present to the school community council,  
21 in accordance with section 302A-1308, the school



1           budget process as it aligns with the school's academic  
2           and financial plans; and

3       [~~(4)~~] (5) Collaborate with other principals in the  
4       principal's school complex to ensure that:

5           (A) Logical, sequential curricula are adopted within  
6           the school complex;

7           (B) Best practices are shared among and implemented  
8           by schools within the school complex;

9           (C) The goals and objectives of the school complex  
10          are being met;

11          (D) The use of school complex-based personnel and  
12          contractors who divide their time between more  
13          than one school in a school complex is  
14          coordinated to maximize efficiency; and

15          (E) The passage of students through the continuum of  
16          grades is coordinated in a manner consistent with  
17          section 302A-1004."

18       SECTION 4. Section 302A-1124, Hawaii Revised Statutes, is  
19       amended by amending subsection (g) to read as follows:

20       "(g) The principal shall have the authority to set aside  
21       any decision made by the school community council if the  
22       principal determines it to be in the best interests of the



1 school; provided that the principal notifies the school  
2 community council. If the school community council opposes a  
3 decision of the principal, an appeal shall first be brought to  
4 the complex area superintendent for resolution and, if  
5 necessary, to the superintendent and, finally, to the board [of  
6 education]. The board shall develop an appeals process to  
7 implement the provisions of this subsection."

8 SECTION 5. Section 302A-1308, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 "**§302A-1308 Use of resources by schools.** School  
11 principals shall exercise various means available, including  
12 electronic media and websites, to engage and consult with  
13 teachers, parents, and students to solicit [~~their~~] input and  
14 advice on the use of [moneys and positions.] money, positions,  
15 and other resources available to the school. Prior to expending  
16 moneys and implementing position assignments, principals shall  
17 submit plans for the use of the moneys and positions to their  
18 complex area superintendents who shall review the plans for  
19 conformance with departmental policies and rules. Upon approval  
20 of the plans, moneys may be expended by the principals for  
21 supplies, textbooks, equipment, and services. Positions may be  
22 used to meet the unique needs of the schools."





1 SECTION 6. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect on July 1, 2020.



**Report Title:**

School Finances; School Community Councils; Appeals Process

**Description:**

Requires fiscal accountability measures at the school level.  
Requires the Board of Education to develop an appeals process  
for school community councils. Effective July 1, 2020. (HB985  
HD2)

