

Date of Hearing: March 25, 2009

Committee: House Education

Department: Education

Person Testifying: Patricia Hamamoto, Superintendent

Title: H.R. 205, H.C.R. 236

Purpose: Requesting the Board of Education to Exempt Public Schools on Molokai from the Single School Calendar.

Department's Position: The Department opposes H.R. 205, H.C.R. 236 for several reasons. First, the Hawaii Board of Education (Board) does not have statutory authority to exempt the public schools on Molokai from the Hawaii Revised Statutes. Board authority under Hawaii Revised Statute 302A-1126 extends only to granting waivers from policies, rules, or procedures. Additionally, any such waiver granted may also be extended to other schools under comparable circumstances. Certainly, many schools within the Department might argue that limited resources, the need to provide a quality education, and other unique cultural or geographic considerations are inconsistent with the Board adopted calendar. Thus the intent of the 2004 Hawaii State Legislature would be compromised.

The Department further opposes H.R. 205, H.C.R. 236 because there has been no evidence presented to either the Department

or Board identifying how a different school calendar for the public schools on Molokai will be more cost effective or efficient. Finally, any or all public schools on Molokai may make application to become a conversion charter school under Hawaii Revised Statute 302B-3.5. Kualapu'u Public Charter School, formerly Kualapu'u Elementary School, chose to become a charter school for many of the same unique heritage and geographical considerations.