
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Section 302A-1124, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§302A-1124 Mandate to initiate school community councils.

4 (a) The department, through the board and its superintendent,
5 shall establish a school community council system under which
6 each public school, excluding charter schools, shall create and
7 maintain a school community council. Each school community
8 council shall:

9 (1) Review and ~~[evaluate]~~ approve the school's academic
10 plan and financial plan, and ~~[either]~~ if necessary,
11 recommend revisions of the plans to the principal~~[, or~~
12 ~~recommend the plans for approval by the complex area~~
13 ~~superintendent]~~;

14 (2) Ensure that the school's academic and financial plans
15 are consistent with the educational accountability
16 system under section 302A-1004;



1 (3) Participate in principal selection and evaluation, and
2 transmit any such evaluations to the complex area
3 superintendent; and

4 (4) Provide collaborative opportunities for input and
5 consultation.

6 (b) School community councils shall be exempt from the
7 requirements of chapters 91 and 92. The school community
8 councils shall:

9 (1) Make available the notices and agendas of public
10 meetings:

11 (A) At a publicly accessible area in the school's
12 administrative office so as to be available for
13 review during regular business hours; and

14 (B) On the school's internet web site,
15 not less than six calendar days prior to the public
16 meeting, unless a waiver is granted by the
17 superintendent in the case of an emergency; and

18 (2) Make available the minutes from public meetings on a
19 timely basis in:

20 (A) The school's administrative office so as to be
21 available for review during regular business
22 hours; and



1 (B) On the school's internet web site.

2 (c) Complex area superintendents may require revisions to
3 a school's academic and financial plans if the plans are in
4 violation of law or conflict with statewide educational policies
5 and standards [~~, or are otherwise in the best interests of the~~
6 ~~school~~].

7 (d) The superintendent of education may recommend to the
8 board of education dissolution of a school community council and
9 establish an interim school community council if the school
10 community council engages in any act or omission that would
11 constitute gross negligence, wilful and wanton misconduct, or
12 intentional misconduct. The superintendent may recommend to the
13 board the removal of any member of a school community council.
14 The superintendent shall appoint or facilitate the creation of
15 an interim school community council at any school that has not
16 established a council or has had its council dissolved. In
17 appointing or facilitating the creation of an interim school
18 community council at any school that has had its council
19 dissolved, the superintendent may appoint individuals who were
20 previously members of the council.

21 (e) Unless otherwise specified, each school community
22 council shall establish policies governing the council's



1 composition, election, staggered terms of office for members,
2 operation, and vacancies; provided that:

3 (1) The number of school personnel [+]on[+] any school
4 community council shall be equal to the number of
5 primary stakeholders on the school community council;

6 (2) At the elementary and middle school levels, each
7 school community council shall be composed of the
8 principal and at least one member representing each of
9 the following groups:

10 (A) Parents elected by ballots distributed among and
11 collected from the parents of the school's
12 students;

13 (B) Teachers elected by ballots distributed among and
14 collected from teachers of the school;

15 (C) Noncertificated school personnel elected by
16 ballots distributed among and collected from
17 noncertificated personnel of the school;

18 (D) Community representatives elected by ballots
19 distributed among and collected from parents of
20 the school's students; and

21 (E) Student representatives selected by the student
22 council of the school; and



1 (3) At the high school level, each school community
2 council shall be composed of the principal and at
3 least one member representing each of the following
4 groups:

5 (A) Parents elected by ballots distributed among and
6 collected from parents of the school's students;

7 (B) Teachers elected by ballots distributed among and
8 collected from teachers of the school;

9 (C) Noncertificated school personnel elected by
10 ballots distributed among and collected from
11 noncertificated personnel of the school;

12 (D) Community representatives elected by ballots
13 distributed among and collected from the parents
14 of the school's students; and

15 (E) Student representatives selected by the student
16 council of the school.

17 For the purposes of this subsection, "primary stakeholders"
18 means students, parents, and community members.

19 (f) School community councils shall elect officers,
20 including:

21 (1) A chairperson;

22 (2) A vice-chairperson;



1 (3) A secretary; and

2 (4) Other officers as needed to perform stated duties in
3 support of the work of the council.

4 ~~[(g) The principal shall have the authority to set aside~~
5 ~~any decision made by the school community council if the~~
6 ~~principal determines it to be in the best interests of the~~
7 ~~school; provided that the principal notifies the school~~
8 ~~community council. If the school community council opposes a~~
9 ~~decision of the principal, an appeal shall first be brought to~~
10 ~~the complex area superintendent for resolution and, if~~
11 ~~necessary, to the superintendent and, finally, to the board of~~
12 ~~education.~~

13 ~~(h)]~~ (g) Complex area superintendents shall assist the
14 school community councils and principals within their respective
15 complex areas in:

16 (1) Obtaining the support and services of the department;
17 and

18 (2) Ensuring the progress and success of the school's
19 academic and financial plan."

20 SECTION 2. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22



1 SECTION 3. This Act shall take effect upon its approval.

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AMC
Mele Carroll

INTRODUCED BY:

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JAN 25 2010



Report Title:

School Community Councils; Academic and Financial Plans

Description:

Clarifies the duty of school community councils to review and approve the academic and financial plans of their respective schools. Removing the authority of principals to set aside any decision made by school community councils.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

