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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF EDUCATION.

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

1           SECTION 1. The legislature finds that economic downturns  
2 cause governments and businesses alike to operate within smaller  
3 budgets and limit the provision of services or goods to those  
4 that are most basic and essential to fulfilling the agency or  
5 firm's mission, duties, and responsibilities. The legislature  
6 finds that the department of education must similarly find ways  
7 to narrow the scope of its operations in the long-term by  
8 identifying those non-core programs that would not compromise  
9 the department's basic and essential functions if eliminated and  
10 by closing underutilized schools before opening new schools.

11           The purpose of this Act is to improve the efficiency of the  
12 department of education by:

13           (1) Requiring the department to periodically review all  
14 non-core programs under the department, alternative  
15 funding mechanisms or sources for those non-core  
16 programs, and report to the legislature its findings

1 and recommendations for the possible elimination of  
2 some or all of those non-core programs; and

3 (2) Requiring the department to close an existing school  
4 prior to opening a new school.

5 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
6 amended by adding a new section to part IV to be appropriately  
7 designated and to read as follows:

8 "§302A- Non-core programs; reporting. The department  
9 shall conduct a periodic review of all non-core programs under  
10 the department. The department shall submit to the legislature  
11 no later than twenty days prior to the convening of the regular  
12 session of 2011, and every five years thereafter, a report that:

13 (1) Identifies all non-core programs, and respective  
14 budget program identification numbers, under the  
15 department;

16 (2) Describes alternative funding mechanisms or funding  
17 sources other than general funds for the identified  
18 non-core programs; and

19 (3) Recommends the possible elimination of some or all of  
20 the identified non-core programs."

21 SECTION 3. Section 302A-1129, Hawaii Revised Statutes, is  
22 amended to read as follows:

1           "~~§302A-1129~~ **Schools; opening and closing.** The board  
2 may open new schools or close existing schools~~[-]~~; provided that  
3 prior to opening a new school, the board shall close an existing  
4 school. The board shall establish a process pursuant to rules  
5 adopted under chapter 91 to effectuate the purposes of this  
6 section."

7           SECTION 4. This Act does not affect rights and duties that  
8 matured, penalties that were incurred, and proceedings that were  
9 begun before its effective date.

10          SECTION 5. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12          SECTION 6. This Act shall take effect upon its approval.

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**Report Title:**

Public Schools; Non-Core Programs; School Openings and Closures

**Description:**

Requires the department of education to periodically report to the legislature information on non-core programs. Requires the board of education to close an existing school prior to opening a new school. (SD2)

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