

JAN 23 2009

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Section 302A-101, Hawaii Revised Statutes, is
2 amended by amending the definitions of "complex area
3 superintendent", "regional administrative unit", "school-based
4 budget flexibility", and "school complex" to read as follows:

5 "~~Complex area~~ District superintendent" means the chief
6 administrative officer of a [~~complex area~~] district and the
7 [~~school complexes~~] schools therein.

8 "Regional administrative unit" means a grouping of
9 [~~complexes~~] districts established by the department for
10 administrative support and organizational purposes.

11 "School-based budget flexibility" means an operating budget
12 preparation and allocation process that provides maximum
13 flexibility to individual schools, [~~complexes,~~] districts, and
14 learning support centers in the preparation and execution of
15 their operating budgets.

16 "School [~~complex~~] district" means a grouping of schools
17 established by the department for instructional, administrative,
18 and organizational purposes."



1 SECTION 2. Section 302A-604, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§302A-604 [~~Complex area~~] District superintendents [-];
4 duties. (a) The [~~superintendent of education, with the~~
5 ~~approval of the board,~~] board of education shall appoint
6 [~~complex area~~] district superintendents for schools. A district
7 superintendent shall be designated chief executive officer of
8 the district superintendent's school district.

9 (b) Under policies established by the board, the district
10 superintendents shall have jurisdiction over the internal
11 organization, operation, and management of the school district
12 and shall administer programs of education and public
13 instruction throughout the school district, including education
14 at the preschool, primary, and secondary school levels, and such
15 other programs as may be established by law. The [~~complex area~~]
16 district superintendents shall supervise the delivery of
17 administrative and instructional support services within their
18 respective [~~complex areas,~~] districts, including:

- 19 (1) Personnel, fiscal, and facilities support;
20 (2) Monitoring of compliance with applicable state and
21 federal laws; and



1 (3) Curriculum development, student assessment, and staff
2 development services.

3 (c) The district superintendent shall sign all drafts for
4 the payment of moneys, all commissions and appointments, all
5 deeds, official acts, or other documents of the school district.
6 The district superintendent may use a printed facsimile
7 signature in approving appointments, contracts, and other
8 documents."

9 SECTION 3. Section 302A-621, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§302A-621 Salary; deputy superintendent, assistant**
12 **superintendents, [~~complex area~~] district superintendents, deputy**
13 **district superintendents.** The salaries of the deputy
14 superintendent, assistant superintendents, [~~and complex area~~]
15 district superintendents, and deputy district superintendents
16 shall be set by the board; provided that the salaries of the
17 deputy superintendent, assistant superintendents, and the
18 [~~complex area~~] district superintendents shall not exceed eighty
19 per cent of the superintendent's salary."

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



1 "**§302A-1103 Principal; authority and responsibility.** The
2 role of the principal shall include but not be limited to
3 overseeing the day-to-day management of the school, the primary
4 function of which is to develop and deliver instructional
5 services to students in accordance with statewide educational
6 policy and to enable students to meet or exceed statewide
7 academic standards. The principal shall:

8 (1) Ensure that the curriculum facilitates the achievement
9 of the statewide student performance standards adopted
10 for the public school system;

11 (2) Develop and present to the school community council
12 for its review and approval, academic and financial
13 plans relating to the school;

14 (3) Exercise authority over the implementation of the
15 budget, policies, and operations of the school; and

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

18 (A) Logical, sequential curricula are adopted within
19 the school [~~complex;~~] district;

20 (B) Best practices are shared among and implemented
21 by schools within the school [~~complex;~~] district;



- 1 (C) The goals and objectives of the school [~~complex~~
- 2 district are being met;
- 3 (D) The use of school [~~complex-based~~] district-based
- 4 personnel and contractors who divide their time
- 5 between more than one school in a school
- 6 [~~complex~~] district is coordinated to maximize
- 7 efficiency; and
- 8 (E) The passage of students through the continuum of
- 9 grades is coordinated in a manner consistent with
- 10 section 302A-1004."

11 SECTION 5. Section 302A-1111, Hawaii Revised Statutes, is
 12 amended by amending subsection (a) to read as follows:

13 "(a) Under policies established by the board, the
 14 superintendent shall be designated as the chief executive
 15 officer of the public school system having jurisdiction over the
 16 [~~internal organization,~~] operation[~~,~~] and fiscal management of
 17 the public school system, as provided by law[~~; and shall~~
 18 ~~administer programs of education and public instruction~~
 19 ~~throughout the State, including education at the preschool,~~
 20 ~~primary, and secondary school levels, and such other programs as~~
 21 ~~may be established by law]."~~



1 SECTION 6. Section 302H-6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~†~~]**§302H-6**[~~†~~] **Hawaiian language medium state education**
4 **agency; districts** [~~and complex areas~~]. The department of
5 education may establish a Hawaiian language medium state
6 education agency with the capability of operating districts [~~and~~
7 ~~complex areas~~] on an equal basis with any other districts [~~and~~
8 ~~complex areas~~] of the department. The Hawaiian language medium
9 state education agency [~~shall~~]:

- 10 (1) Shall encompass the entire [~~State, may~~] state;
- 11 (2) May administer schools consisting of geographically
12 noncontiguous classes, boarding schools, charter
13 schools, or cyber schools; and [~~may~~]
- 14 (3) May share facilities, administration, programs,
15 resources, and funding with other public, charter, and
16 private schools and colleges as appropriate.

17 All schools and programs taught through the medium of the
18 Hawaiian language shall be included in the Hawaiian language
19 medium state education agency."

20 SECTION 7. Sections 36-35, 76-16, 84-17, 302A-321, 302A-
21 412, 302A-431.7, 302A-438, 302A-604.5, 302A-705, 302A-1004,
22 302A-1104, 302A-1124, 302A-1130.5, 302A-1134, 302A-1153, 302A-



1 1302, 302A-1308, 302A-1503, 302A-1505, and 302B-16, Hawaii
2 Revised Statutes, are amended by replacing every reference to
3 "complex" or "complex area," or like terms, with "district" or
4 like term, as the context requires.

5 SECTION 8. No officer or employee of the State having
6 tenure shall suffer any loss of salary, seniority, prior service
7 credit, vacation, sick leave, or other employee benefit or
8 privilege as a consequence of this Act, and such officer or
9 employee may be transferred or appointed to a civil service
10 position without the necessity of examination; provided that the
11 officer or employee possesses the minimum qualifications for the
12 position to which transferred or appointed; and provided that
13 subsequent changes in status may be made pursuant to applicable
14 civil service and compensation laws. An officer or employee of
15 the State who does not have tenure and who may be transferred or
16 appointed to a civil service position as a consequence of this
17 Act shall become a civil service employee without the loss of
18 salary, seniority, prior service credit, vacation, sick leave,
19 or other employee benefits or privileges and without the
20 necessity of examination; provided that such officer or employee
21 possesses the minimum qualifications for the position to which
22 transferred or appointed.



1 If an office or position held by an officer or employee
2 having tenure is abolished, the officer or employee shall not
3 thereby be separated from public employment, but shall remain in
4 the employment of the State with the same pay and classification
5 and shall be transferred to some other office or position for
6 which the officer or employee is eligible under the personnel
7 laws of the State as determined by the head of the department or
8 the governor.

9 SECTION 9. The department of education shall adopt rules
10 to effectuate the provisions of this Act.

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

13 SECTION 11. This Act shall take effect upon its approval.

14

INTRODUCED BY: *Sp. U.*



Report Title:

DOE; School Districts; District Superintendents

Description:

Returns the Department of Education to a system divided by districts in lieu of the current complex area structure.

Requires the Board of Education to appoint the district superintendents. Establishes duties of the district superintendent.

