

STAND. COM. REP. NO. 268

Honolulu, Hawaii

Feb 17, 2009

RE: H.B. No. 172
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committees on Education and Labor & Public Employment,
to which was referred H.B. No. 172 entitled:

"A BILL FOR AN ACT RELATING TO RECONSTITUTING SCHOOLS,"

beg leave to report as follows:

The purpose of this bill is to help improve student academic
performance by:

- (1) Allowing the Superintendent of Education
(Superintendent) to reconstitute a public school, except
a charter school, which has been in restructuring for
three or more school years; and
- (2) Allowing the Superintendent to recommend to the Charter
School Review Panel (Panel) actions that should be taken
to reconstitute a charter school which has been in
restructuring for three or more school years, and
recommend that the Panel revoke the charter school's
charter.

The Department of Education (DOE) testified in support of
this bill. The Hawaii State Teachers Association and Hawaii
Government Employees Association opposed this measure. The
Charter School Administrative Office offered comments.



Your Committees have amended this bill by:

- (1) Changing the number of years that a school must be in restructuring to qualify for reconstitution from three or more school years to four or more school years;
- (2) Requiring that the school must also have not advanced significantly toward improving academic performance as determined by a statistical analysis of academic data;
- (3) Allowing the Superintendent to reconstitute a school only after certain considerations have been made;
- (4) Requiring the Superintendent to make a recommendation to the Board of Education to reconstitute the school, taking into consideration the recommendation of the complex area superintendent, if any;
- (5) Requiring DOE to negotiate with the respective unions the process of reassigning employees of the school to be reconstituted, to other DOE positions for which the employees are qualified; and
- (6) Requiring DOE to follow the current hiring and recruiting procedures for all qualified employees to be employed at the reconstituted school.

As affirmed by the records of votes of the members of your Committees on Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 172, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 172, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Labor & Public Employment,



KARL RHOADS, Chair



ROY TAKUMI, Chair



