

STAND. COM. REP. NO. 837

Honolulu, Hawaii

March 6, 2009

RE: H.B. No. 172
H.D. 2

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

Sir:

Your Committee on Finance, to which was referred H.B. No. 172, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to 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 four or more school years and has not advanced significantly toward improving academic performance as determined by a statistical analysis of academic data, only after certain considerations have been made;
- (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 four or more years, and recommend to the Panel the revocation of the school's charter;
- (3) 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;



- (4) Requiring the Department of Education (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
- (5) Requiring DOE to follow the current hiring and recruiting procedures for all qualified employees to be employed at the reconstituted school.

DOE testified in support of this bill. The Hawaii Government Employees Association, Hawaii State Teachers Association, and numerous concerned individuals testified in opposition to this measure. The Charter School Administrative Office provided comments.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 172, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 172, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



