

Honolulu, Hawaii

Feb 5, 2010

RE: H.B. No. 2377

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 2377 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this bill is to improve the accountability of Hawaii's public education system by requiring the members of the Board of Education (BOE) to be nominated and, by and with the advice and consent of the Senate, appointed by the Governor from pools of qualified candidates presented to the Governor by the BOE Selection Advisory Council (Council).

Hawaii's Children First and a concerned individual testified in support of this bill. The Hawaii Association of Independent Schools, Hawaii Business Roundtable, and a concerned individual supported the intent of this measure. A concerned individual opposed this bill. The Governor's Administration, Representative from the 32nd district, Hawaii Government Employees' Association, and many concerned individuals offered comments.

Your Committee has amended this bill by:

(1) Removing BOE's authority to:

(A) Restructure the Department of Education (DOE) to ensure that it is decentralized in a manner to



promote student growth and achievement and greater accountability; and

- (B) Monitor and protect student rights provided by law;
- (2) Changing BOE membership from 15 appointed members to nine appointed members;
- (3) Specifying the terms of the members initially appointed to each BOE seat as follows:
 - (A) Three members shall serve two-year terms;
 - (B) Three members shall serve three-year terms; and
 - (C) Three members shall serve four-year terms;
- (4) Removing the requirement that certain BOE members represent and reside in certain geographic areas of the state, and the associated provisions for the Council to present candidates to fill vacant seats from these areas;
- (5) Changing the terms of each appointed BOE member from five to four years;
- (6) Specifying that for the period that BOE has fewer than eight appointed members, four members shall constitute a quorum, and that the concurrence of at least four members is needed to validate any BOE action; provided that when BOE reaches at least eight members, a majority of the members to which BOE is entitled shall constitute a quorum;
- (7) Deleting provisions relating to the notice requirements for BOE meetings;
- (8) Removing the requirement that BOE meet a certain number of times each year;
- (9) Deleting provisions enabling BOE to meet in the counties of Hawaii, Maui, and Kauai; and
- (10) Making technical, nonsubstantive amendments for clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2377, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2377, H.D. 1, and be referred to the Committee on Judiciary.

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



ROY TAKUMI, Chair



