

STAND. COM. REP. NO.

2805

Honolulu, Hawaii

MAR 19 2010

RE: H.B. No. 2377
H.D. 3
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Education and Housing, to which was referred H.B. No. 2377, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to require the members of the Board of Education to be appointed by the Governor, with the advice and consent of the Senate, from lists of qualified candidates presented to the Governor by the Board of Education Selection Advisory Council.

Testimony in support of this measure was submitted by one private organization and three individuals, and testimony in support of the intent of this measure was submitted by one private organization. Testimony in opposition to this measure was submitted by one state agency. The Governor's office expressed concerns with this measure, and two private organizations submitted comments. Written testimony presented to the Committee may be reviewed on the Legislature's website.

The scheduled loss of seventeen instructional days for the 2009-2010 school year prompted statewide debate and concern about the public education system in Hawaii. The public, legislators, the Governor, and others expressed the need for greater accountability of the Board of Education and leaders of the public education system to prevent similar situations from arising in the



future. Your Committee finds that this measure presents a solution to the issue of lack of accountability.

Your Committee has made several amendments to this measure, including the following:

- (1) Renaming the Board of Education Selection Advisory Council as the Board of Education Candidate Nomination Commission;
- (2) Amending the number of voting members to be appointed to the Board of Education from eight to nine;
- (3) Changing the geographic representation of some of the voting members of the Board of Education;
- (4) Inserting language that designates the departmental school districts within the State;
- (5) Clarifying that the student member of the Board of Education shall be a nonvoting member selected by the Hawaii State Student Council, as specified in Article X, Section 2 of the Hawaii State Constitution;
- (6) Amending the length of each term of a Board of Education voting member to be three years, providing that terms for voting members shall begin on June 15 of the year of appointment, and increasing the maximum number of consecutive terms to three;
- (7) Authorizing the Governor to appoint the Chairperson of the Board of Education;
- (8) Establishing procedures and deadlines for the reappointment and reconfirmation of Board of Education voting members;
- (9) Establishing procedures and deadlines for filling vacancies on the Board of Education;
- (10) Extending the amount of time between the convening of the Board of Education Candidate Nomination Commission's first meeting for the initial appointment of members of the Board of Education and the day by which the Commission must present its candidates to the Governor;



- (11) Allowing members of the Board of Education Candidate Nomination Commission to serve up to two consecutive terms of four years;
- (12) Changing the composition of the Board of Education Candidate Nomination Commission;
- (13) Shortening the time within which individuals or organizations may appoint members to the Board of Education Candidate Nomination Commission;
- (14) Establishing procedures for the transition from a Board of Education with elected voting members to appointed voting members, should this measure be enacted and an appropriate constitutional amendment ratified; and
- (15) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education and Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2377, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2377, H.D. 3, S.D. 1, and be referred to the Committee on Ways and Means.

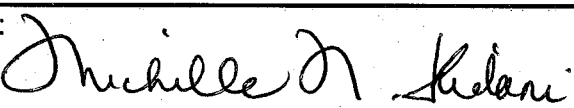
Respectfully submitted on
behalf of the members of the
Committee on Education and
Housing,


NORMAN SAKAMOTO, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Education and Housing
EDH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2377 HD3	EDH, WAM	3-15-10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAKAMOTO, Norman (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne				✓
GALUTERIA, Brickwood	✓			
TSUTSUI, Shan S.	✓			
HEMMINGS, Fred				✓
TOTAL	4			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes