



EXECUTIVE CHAMBERS

HONOLULU

LINDA LINGLE
GOVERNOR

Testimony of
Linda L. Smith
Senior Policy Advisor to the Governor

Before the
HOUSE COMMITTEE ON FINANCE

Monday, March 29, 2010, 6:00 PM
State Capitol, Room 308

SB 2570 SD1 HD1 and SB 2571 SD2 HD1

Chair Oshiro, Vice Chair Lee, and members of the Committee:

SB 2570 SD1 HD1 proposes a constitutional amendment to require the Governor to nominate and, by and with the advice and consent of the Senate, appoint the members of the Board of Education, as provided by law. The companion measure to this bill is SB 2571 SD2 HD1, which establishes an eight member Board of Education, authorizes the Governor to appoint the Board of Education chair, and establishes a Board of Education Selection Advisory Council to present the Governor with a list of candidates from which members of the Board must be nominated.

The Administration opposes these bills because they have the appearance of education reform, but merely make changes to the way in which Board of Education members are selected that actually create more layers and less transparency in the selection process. These bills do not address the need to create direct accountability for public education in Hawaii. For example, establishing a Selection Advisory Council would create another layer of bureaucracy to an already opaque governance system and move the State further away from increasing accountability for the condition of public schools. Look at the results of the current Selection Council for the Board of Regents

that has resulted in candidates with little background in education or knowledge of managing a multi-million dollar operation.

There were many bills introduced this legislative session to change Hawaii's public education system. These measures were introduced primarily in response to the inability of State leaders under the existing school system to comprehensively improve public education. The publicly-elected Board of Education, which is supposed to represent the will of Hawaii's citizens, is presently incapable of adequately responding to the public's clear and repeated request to restore school instructional days. Creating clear lines of authority will create greater stability and allow for a more expedient execution of policies and procedures that govern the Department of Education.

The Administration recommends that the Committee **amend** these measures by adopting the approach and language contained in the Administration-sponsored bills, S.B. 2705 and 2706.

The first bill, S.B. 2706, gives Hawaii voters the opportunity to decide whether or not to amend the State Constitution to repeal the publicly-elected Board of Education and establish the Department of Education as a cabinet-level department. These constitutional changes lay the groundwork to restructure the State's public education system in which the Department of Education is headed by a superintendent that is appointed by the next Governor and confirmed by the Senate. The proposed question to be placed on the ballot is:

"Shall the State Constitution be amended to make the department of education into a cabinet-level department, without an elected Board of Education, headed by a superintendent appointed by the governor and confirmed by the state senate, similar to other departments of state government?"

We strongly urge the Committee to adopt key provisions that would make the next Governor directly accountable for the condition of public education within the State, by

authorizing the next Governor to appoint the DOE Superintendent directly. This change would create a system of clear accountability because the Governor would be held accountable for his or her selection of the Superintendent, and the subsequent educational performance under that Superintendent. Under this structure, the functions and duties of the Board of Education are transferred to the Superintendent with final decision-making resting with the Governor. If the Committee wants to reform and improve public education within our State, adoption of this amendment is absolutely necessary.

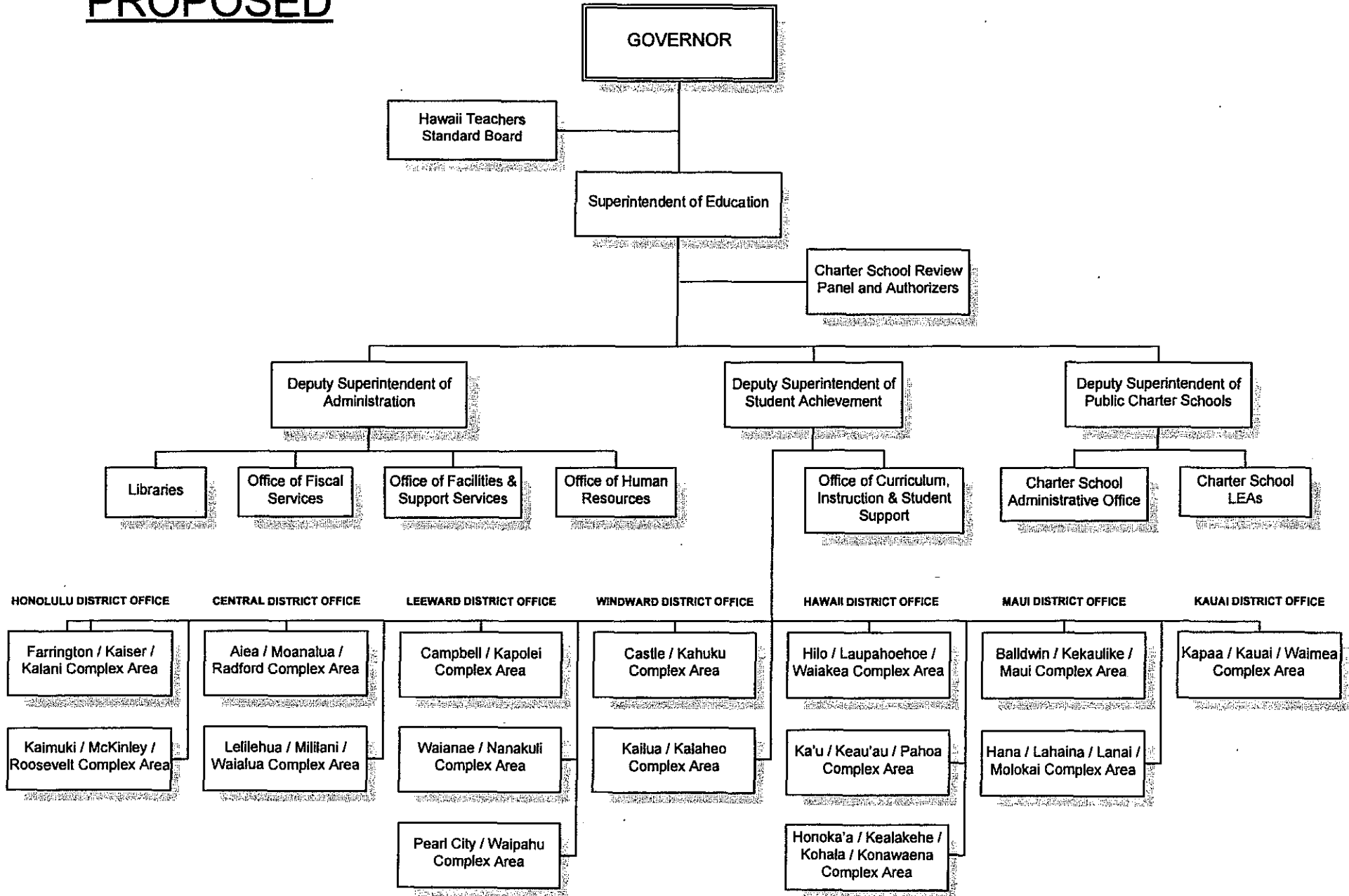
The second bill, S.B. 2705, makes the statutory amendments necessary to effectuate the new governance system proposed in S.B. 2706. The bill's key provisions are:

1. Repeals the powers and duties of the publicly-elected Board of Education and transferring most of these duties to the Superintendent of Education. For example, the Superintendent will have the authority to adopt administrative rules.
2. Authorizes the Governor to appoint the Superintendent of Education with the advice and consent of the Senate, which will align with the current process for selecting all other state department heads.
3. Authorizes the Superintendent to appoint three deputy directors. One deputy will be assigned to oversee the management of school administration, which will include the state libraries, fiscal services, facilities, and human resources. One deputy will focus on the department's efforts to improve student achievement through managing curriculum and providing students with the necessary support to improve student performance. One deputy will oversee the Charter School Administrative Office and facilitate development of public charter schools.

These changes will improve the State's ability to effectively manage its educational resources and execute policies and procedures. More importantly, it also creates a school system in which parents, teachers, students, and the public at large will be able to hold the governor, as the State's chief executive as provided by law, directly accountable for the condition of public education within the State.

Therefore, we strongly urge the committee to adopt the language in S.B. 2705 and 2706, in lieu of the provisions in the bills being heard today. A proposed organizational chart for the Department of Education and suggested bill language are attached for the Committee's review. Thank you for the opportunity to provide testimony on these measures.

PROPOSED



Date of Hearing: Monday, March 29, 2010

Committee: House Committee on Finance

Person Testifying: Garrett Toguchi, Chairperson, Board of Education

Title of Bill: S.B. No. 2571, S.D. 2, H.D. 1, Relating to the Board of Education

Purpose of Bill: Implements, upon ratification, the constitutional amendment to Article X, Section of the Hawaii Constitution, by requiring the members of the Board of Education to be nominated and, by and with the advice and consent of the senate, appointed by the governor from lists of qualified candidates presented to the governor by the Board of Education Selection Advisory Council.

Board's Position: Chairperson Oshiro, Vice Chairperson Lee, and members of the House Committee on Education, thank you for the opportunity to testify on S.B. No. 2571, S.D. 2, H.D. 1.

The Board of Education (Board) opposes S.B. No. 2571, S.D. 2, H.D. 1, which is enabling legislation to allow the governor to appoint the members of the board, with the advice and consent of the senate, from pools of qualified candidates presented to the governor by the Board of Education Selection Advisory Council.

Under this bill, Hawaii's elected Board of Education, *whose members are determined by the voters* of our State, would be replaced with an appointed Board of Education, *whose members would be determined by the governor*.

A board that is appointed by the governor would centralize educational decision-making too largely in the Executive Branch. Under S.B. No. 2571, S.D. 2, H.D. 1, educational decision-making would be weighted heavily under the governor, with Board members falling under the governor's direction and appointment. Under such a governance structure, a Board member would have but one constituent: the governor who appoints the Board member to office.

An appointed board would be partisan in nature, subject to the political affiliation of the governor at that particular time. An appointed board would also be beholden to the governor, the appointing authority, with the governor having varying degrees of influence over his or her appointed members in driving educational decisions and policy.

The voting public understands only too well the ramifications of placing the Board of Education under the appointing authority of a single individual. For example, had Hawaii's elected Board of Education been a governor-appointed board under Governor Linda Lingle, it is likely that teachers and other employees would have

been furloughed 36 days each year under Governor Lingle's initial proposal.

It is also important to note that a board that is *appointed* by the governor is inclined to be in lock-step with the governor. Thus, a *governor-appointed* Board of Education under our current governor would find itself having to support and advocate Governor Lingle's proposal to make the release of funds to end Furlough Fridays contingent upon the passage of an unrelated matter: the passage of a constitutional amendment that would allow the governor to appoint the superintendent. An *elected Board of Education*, however, is accountable to the public and is not beholden to the appointing authority of the governor.

Unlike an appointed board, elected Board of Education members are nominated in a *nonpartisan* primary election and are elected in a *nonpartisan* general election. A nonpartisan elected board assures independence in appointing a superintendent, without the trappings of political party affiliation.

An elected board is representative of a diverse cross section of viewpoints and individuals who are reflective of our communities.

An elected board offers varying viewpoints that are discussed and hashed out publicly to form a Board position on policy and other educational matters. The great thing about an elected board is that anyone who meets the residency and candidacy requirements, is a registered voter, and does not hold any other public state or county government office, can run for a seat on the state Board of Education. Former legislators, school administrators, teachers, a police chief, attorneys, social workers, a military officer, business executives, and others from diverse and varied professional backgrounds and experiences have all served or serve on our elected board.

The Board of Education Selection Advisory Council established under this bill is an attempt to broaden the one-person/one-governor appointment process for selecting individuals to serve on the Board of Education. Similar to the University of Hawaii Board of Regents Candidate Advisory Council established in law, the creation of the Board of Education Selection Advisory Council reflects recognition by the Legislature and the public's desire of the need to minimize sole control and sole decision-making by one person, i.e., the governor, over the appointment of individuals to serve on our public institutions. The establishment of these

nonpartisan citizen advisory groups is an acknowledgement of the heed taken and political nature of entrusting the governor, a sole individual, to appointment individuals to serve on our K-12 *and* higher education institutions. Direct citizen control through an *elected* board, not an *appointed* Board of Education, is the best way to ensure fairness, independence, and public participation and involvement in education.

Direct citizen control over education is essential to ensure that all members of our community have a say, a voice, and a vote as to who represents them on their state education board. Under an elected governance structure, voters assert their right to determine who serves them in office and have the ability to elect individuals out of office.

Changing the Board of Education from an elected board to an appointed board is no panacea for the challenges facing education in our State. There is no evidence that a shift to an appointed board will be more effective, or accountable, or improve student achievement. In fact, while the federal Race to the Top Fund grant advances educational reform in four specific areas: (1) adopting standards and assessments for student success; (2) building data

systems that measure student growth and success; (3) recruiting, developing, rewarding, and retaining effective teachers and principals; and (4) turning around our lowest-achieving schools, the grant competition does not suggest an appointed board governance structure.

Educational improvements are a continuous process that occurs over time. Educational improvements occur when our educational system, schools, and classrooms are supported with adequate resources, a strong curricula, effective teachers, and other direct learning supports and resources to help children learn. These supports will have the strongest and most direct impact on student learning and achievement.

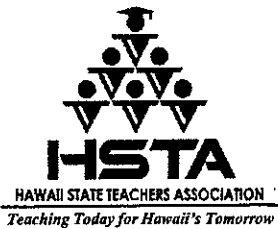
Education should be supported by all decision-makers and important stakeholders involved in education: the Board, the Superintendent, the Governor, the Legislature, and the community. Responsibility and accountability must be shared by all involved.

Lastly, state boards have always been regarded as critical to insuring education as a state function, with the responsibilities of state boards reflecting two deeply-held educational values: the lay

governance of education and the separation of educational policymaking from partisan politics.

We ask the Legislature to entrust the public with the power to vote for their Board of Education members, as the public does in electing their governor and legislators. Education is everyone's business, not just a few.

Thank you for the opportunity to testify in opposition to this measure.



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**TESTIMONY BEFORE THE SENATE COMMITTEE ON
FINANCE**

RE: SB2571, SD2, HD1 –RELATING TO THE BOARD OF EDUCATION

March 29, 2010

**WIL OKABE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION**

Chair Oshiro and Members of the Committee:

The Hawaii State Teachers Association supports an elected board but would like to comment on the bill.

- Amend the number of board members to nine members.
- Amend Sec 302A-A subsection 1-D to read: “four members from the city and county of Honolulu to represent Central, Honolulu, Leeward and Windward school districts.”

These amendments would reflect the existing seven geographic school districts and make board members more clearly accountable to those they represent in the City and County of Honolulu.

Thank you for the opportunity to testify.



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The Twenty-Fifth Legislature, State of Hawaii
Hawaii State House of Representatives
Committee on Finance
Testimony by
Hawaii Government Employees Association
March 29, 2010

S.B. 2571, S.D. 2, H.D.1 – RELATING TO THE BOARD OF EDUCATION

The Hawaii Government Employees' Association, AFSCME Local 152, AFL-CIO provides the following comments with respect to S.B. 2571, S.D. 2, H.D.1.

As this measure continues to move forward we recommend an amendment to 302A-B (f) to include a member appointed by the Hawaii Government Employees Association. We remind the legislature that HGEA represents over 5000 employees in the department of education. We also recommend that section 21 be amended to read: shall [continue to] be "exempt" employees of the department of education. The employees serving the board of education have first hand knowledge of confidential information and the positions should be appropriately classified.

We appreciate the opportunity to testify on S.B. 2571, S.D. 2, H.D. 1.

Respectfully submitted,

Leiomalama Desha
Executive Assistant



Monday, March 29, 2010
6:00 p.m.
Conference Room 308

TESTIMONY TO
THE HOUSE COMMITTEE ON FINANCE

RE: SB 2571, SD2, HD1 – Relating to the Board of Education

Chair Oshiro, Vice Chair Lee, and Members of the Committee:

My name is Robert Witt and I am executive director of the Hawaii Association of Independent Schools (HAIS), which represents 99 private and independent schools in Hawaii and educates over 33,000 students statewide.

The Association is in **strong support of Senate Bill 2571 SD2, HD1**, which establishes the board of education candidate nomination commission to nominate candidates for the board of education to be appointed by the governor.

HAIS is encouraged by this proposal by which the members of the Board of Education would be appointed by the governor, with the advice and consent of the Senate, from pools of qualified candidates presented to the governor by the board of education candidate nomination commission, as provided by law.

HAIS believes that discussion of the merits of this measure is urgently needed during the 2010 Legislative Session, and further believes that this measure may be aptly designed, in general, to increase accountability concerning public education in Hawaii.

We believe this measure will also encourage the Board of Education to restructure and decentralize public education for the purposes of increasing student achievement and protecting student rights. This provides added incentive for our association to support ongoing discussion of this measure in the weeks ahead.

Thank you for the opportunity to testify in support of this measure. As this measure moves forward for continuing discussion we pledge our involvement in the discussion of the merits of this idea, along with a full examination of the details that may be needed to support implementation should the measure be placed before the voters next November.



OUTRIGGER

ENTERPRISES GROUP

Hospitality • Retail • Development

HOUSE OF REPRESENTATIVES
25th LEGISLATURE
REGULAR SESSION of 2010

COMMITTEE ON FINANCE
Representative Marcus Oshiro, Chair

3/29/10
6:00 PM – Room 308

SB 2570, SD 1, HD 1
Relating to Constitutional Amendment
&
SB 2571, SD 2, HD 1
Relating to Board of Education

Chair Oshiro, my name is Max Sword, here on behalf of Outrigger Hotels to offer testimony in support of both SB 2570 & SB 2571.

Outrigger Hotels has spent a great deal of thought on the issue of school governance and strongly believe that an appointed board would better serve our State. We believe that the children in school today, the students of tomorrow, our present employees and nearly all of our future employees depend on a well-managed Department of Education (DOE).

The DOE is our community's most important institution.

The DOE is nearly a \$2 billion dollar enterprise and when considered as an "employer" is the largest single employer in the state. We believe that an appointed Board of Education (BOE) process has a much higher potential of finding talented, experience civic minded individuals that would really contribute to better management of Hawaii's largest government enterprise.

Having the Governor, regardless of party, be accountable for performance would also be a big improvement to the structure today where neither the BOE, the Governor nor the legislature have adequate control over the direction of our schools. If the Governor had more influence over who is in charge, coupled with its responsibility to design, submit and administer the budget, we would be way ahead in assigning responsibility for performance.

Mahalo for allowing me to testify!



Hawai'i's Children First

Transforming Public Education

Monday, March 29, 2010
6:00 p.m.
Conference Room 308

TESTIMONY TO THE HOUSE COMMITTEE ON FINANCE

RE: SB 2571 (SD 2, HD 1) – Relating to the Board of Education

Dear Chair Oshiro, Vice-Chair Lee and Members of the Committee:

Hawai'i's Children First is strongly supportive of the intent of SB 2570 (SD 1, HD 1) and SB 2571 (SD 2, HD 1).

In light of a strong current of public sentiment calling for reform, we respectfully request that the community be given the opportunity to vote on a system that appoints the Board of Education. The Department of Education (DOE) has outlined an ambitious reform agenda in connection with the federal "Race to the Top" program. The reforms include:

- Revisiting union contracts to revise performance evaluation, tenure, and other complex and sensitive subjects;
- Developing a comprehensive student support system;
- Instituting a data system that aligns with Common Core Standards and tracks student growth and achievement;
- Implementing measures to close the achievement gap and turnaround troubled schools, such as through zones of school innovation; and
- Ensuring equitable school funding, including for charter schools.

The DOE also has plans to revamp its outdated human resource system and the associated processes affecting its tens of thousands of employees.

Given the size and scope of the proposed reforms, our public education system needs improved governance to help lead and oversee that change. A system of appointing board members will help to contribute to the reform effort. With a system that appoints board members, we can expect:

- Greater accountability – the governor becomes accountable for the state of public schools;
- Increased attention by the Executive Branch on education and a clear incentive for the governor to take more ownership in the system due to the governor's role in selecting Board of Education members;
- Better screening of candidates – a process that helps to ensure the selection of the most highly qualified individuals, such as individuals exhibiting good judgment and expertise in education policy, school leadership, teaching and other relevant subject areas, such as business;
- A more cohesive Board of Education that is less subject to electoral politics and special interests; and
- Improved structural alignment that will be more conducive to reform.

A governance system with an appointed state board is well-tested. Most state boards (35) are appointed. Based on our analysis of the governance structures of other states and NAEP scores, eight of the top ten state boards in terms of NAEP achievement are appointed. On balance, states with appointed boards have performed better in terms of achievement.

Some seek to prevent these bills from advancing. They argue for the status quo at a time when the community is calling for improvements to public education.

These opponents of change argue that electing board members makes the board members more accountable to the electorate. A Star-Bulletin/KITV 4 News poll in 2002 indicated that 69% of those polled did not have enough information about candidates to make a good choice. In the last 2008 at-large election, the “blank votes” were significant. It is common knowledge that many people vote based on name recognition or simply because a candidate may have a similar background, instead of voting based on the candidates' views and qualifications.

They argue that a system of electing candidates is better for the community. Not every government service should be led by persons elected for office. When it comes to education, the focus should be on selecting the most qualified Board of Education members, not the most popular. Positions for judges, executive cabinet members, advisory commissions and the Board of Regents for the University of Hawai'i are examples of appointed positions.

They argue that appointing board members would make public education more political. No governance system is more political than an elected system. With the election of Board of Education members traditionally being accompanied by weak voter participation, the composition of the Board of Education is especially susceptible to entrenched interests.

We have high hopes that the future of public education in Hawai'i will place the needs of children first. Implementing an appointed board of education is an important step on the road to re-focusing our priorities and instituting many other important reforms. Thus, we strongly urge the Committee to pass SB 2570 (SD 1, HD 1) and SB 2571 (SD 2, HD 1).

Thank you for your commitment to public education and your time and consideration on this important issue.



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Testimony to the House Committee on Finance

Wednesday, March 29, 2010

6:00 p.m.

Conference Room 308

RE: Relating to Education - Senate Bill 2571 SD2 HD1

Chair Oshiro, Vice Chair Lee and Members of the Committee:

My name is Gary Kai and I am the Executive Director of the Hawaii Business Roundtable. The Hawaii Business Roundtable fully supports SB 2571 SD2 HD1 that proposes amendments to the Hawaii Constitution relating to the Board of Education. We have submitted testimony previously and continue to support the requirement that the Board of Education members 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.

We continue to believe that the current governance structure is ambiguous and has led to conflicted leadership and a lack of accountability. Current events continue to reflect this misalignment of responsibility and authority. A professional Board, appointed by the Governor will help to provide the alignment necessary to provide the strategic leadership necessary for the reforms needed to create that new vision for public education in Hawaii that we all desire. We fully appreciate the difficult and thoughtful deliberation that the members of the legislature have undertaken to create this new vision for public education.

Thank you very much for the opportunity to testify. We look forward to joining your efforts and working with our entire community to take our public education system to the level that will prepare our keiki for the future they desire and deserve.

Testimony to the House Committee on Finance
Monday, March 29, 2010
6:00 PM
Conference Room 308

Chairman Oshiro, Vice Chairwoman Lee, and members of the House Committee on Finance:

My name is Mark Aoki and I am a junior at Roosevelt High School. I strongly support SB2570 (SB2, HD1) and SB2571 (SD2, HD1), but offer amendments to SB2571 (SB2, HD1).

Most voters are not informed on election day regarding candidates for the Board of Education (BOE). The results from 2008 justify this statement; over 300,000 left their ballot blank for the non-departmental school district. This statistic demonstrates that election to the BOE does not represent a mandate from the people.

If we allowed a group of one hundred to represent the 178,000 public school students, thirty-five would be unable to read at grade level, fifty-six would not have the necessary knowledge to complete grade level math and sixteen would eventually dropout all together (2009 Superintendent's Report).

Mom and Dad have always taught me that when something is broken, it needs to be fixed. Our education system is, clearly, broken.

I acknowledge that changing the governance structure of a body will not be the panacea to our education woes; however, it can serve as a start. Placing members on the BOE that represent the will of the people will allow true reform to our system to occur. The advisory panel guarantees this. This panel, comprised of members from every stakeholder group (the community at large, the teachers, the parents, and the students), will nominate candidates that represent not only themselves, but also everyone involved in education. Members of the current BOE do not and as such reform efforts have failed in the face of politics and special interests.

Furthermore, a BOE appointed by the governor allows for the two bodies to be "on the same page" with one another. Our difficulty in finding a solution to "Furlough Fridays" comes not from monetary difficulty (the money exists in special funds), but from a lack of concurrence on the part of the BOE and the governor's office. Each group has differing political agendas, when the only agenda they need is putting education and the future first.

Proposed Amendments:

1. Page 2, Lines 5-6. The student member of the BOE must be a voting member. Students along with classroom teachers are the only group that truly understands the effect of policy from the BOE, from this standpoint we are indeed capable of drafting policy suited for schools. In addition, our ideas and comments should in some way count—the status quo serves to ignore the voice of the future.

Furthermore by being appointed by the governor, the student's parents/guardians would serve to approve the contract between the governor and student, therefore offering legal support to the student's right to vote.

For further justification of the student's right to vote, I have attached a February 25, 2010 Star-Bulletin Editorial written by the present BOE student member, Kelly Maeshiro.

2. Page 3, Lines 18-22 and Page 4, Lines 1-8. The student member's term must be confined to his/her high school career. If he/she is not a present student while serving on the BOE, then he/she has no legitimacy as the voice of Hawaii's students.

Education serves to set the future infrastructure of our great state; however, the status quo destines us to failure. The people have an opportunity to reroute the state's path into the future, replacing an ineffective system with one of accountability and capacity is a start.

My warmest aloha for your time,

Mark Aoki
maoki11@mac.com

Star Bulletin

Give student member of school board right to vote

By Kelly Maeshiro

POSTED: 01:30 a.m. HST, Feb 25, 2010

(http://www.starbulletin.com/editorials/20100225_give_student_member_of_school_board_right_to_vote.html)

As the non-voting student member of the state Board of Education, I frequently face the challenge of trying to convince my adult colleagues of how policies will and do affect students. Recent comments by state Rep. Lyla Berg on the validity of the youth voice deserve commendation. She stated that "there are those of us who really believe our youth matter, and that they're smart enough to sit at the table with us."

I realized then that there is still hope for our cause.

Last week, the Hawaii State Student Council met and discussed its positions on education-related legislation and stated its continued support for Board of Education student member voting rights, an issue the students have been championing for more than 20 years now at the Legislature.

Our challenge has always been to prove to the legislators that, though we don't necessarily know more than adult board members, we definitely know different things -- and some legislators, like Rep. Berg, have heeded our logic, as the board itself has.

The student member of the board, because he or she is also a regular public school student, understands thoroughly how policies affect individual students. The student board member provides the board with a critical worm's-eye view, which informs the board's aerial perspectives of the system.

I am not criticizing the board for its decisions, but acknowledging that different perspectives only further inform responsible decision-making.

We often hear our leaders say, "Our keiki are the future," and while this is true, the fact should not preclude our leaders from remembering that our keiki are also a part of the present, or at least should be.

As the student member of the Board of Education, representing 178,000 public school students, I call on my legislators, whom I trust, to remember the value of our students' insights and to honor them by granting the student member of the Board of Education voting rights, a right long overdue.

Kelly Maeshiro of Pearl City is the student member on the state Board of Education.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 29, 2010 10:54 AM
To: FINTestimony
Cc: contact@berger-reeves.com
Subject: Testimony for SB2570 on 3/29/2010 6:00:00 PM
Attachments: Support for SB2570.doc

Categories: Agenda 5

Testimony for FIN 3/29/2010 6:00:00 PM SB2570

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: William H Reeves
Organization: Individual
Address:
Phone:
E-mail: contact@berger-reeves.com
Submitted on: 3/29/2010

Comments:

**IN SUPPORT OF SENATE BILL 2571 TO CHANGE THE
BOARD OF EDUCATION FROM AN ELECTED BOARD
TO AN APPOINTED BOARD**

Committee on Finance
Date: March 29, 2010

I would like to voice my support for the Senate Bill 2571 which amends the Hawaii Constitution to provide for a Board of Education whose members are "to be appointed by the Governor, as provided by law".

First and foremost, any change in the governance structure of the Board of Education needs to ultimately lead to better student outcomes – it most certainly must not simply be a political exercise. With that in mind I feel that the SB 2571 will indeed greatly help increase student achievement in the three key ways:

- 1) **It will serve to refocus the Board of Education on its constitutional role of setting long-term systemic achievement goals for the Department of Education and the Superintendent and monitoring progress towards those goals**

While Hawaii has a long and proud history of both valuing and prioritizing public education, in recent years our public educational governance structure has become gridlocked at the Board level. This gridlock has many historic sources that are independent of the individuals who currently serve.

The fact that the BOE Chair is elected annually from among its members has often led to bitter internal politics that carry forward for the remainder of the session rendering the Board highly ineffective. A split Board is often a weak Board. Crippling internal politics has contributed to an atmosphere in which narrow personal biases toward specific issues or each other often seem to supersede members' responsibility to advocate first and foremost on behalf of Hawaii's public school parents and students. Teacher furloughs are but the latest example of this dynamic.

With the body responsible for setting long term educational goals effectively removing itself from the governance structure, our Superintendent has been forced to grapple with attempting to steer an unknown and inconsistent policy course with little to no support from her ultimate employer.

In place of the leadership vacuum left by the BOE the Legislature itself, as most of you know all too well, has been forced to take an increasingly active role in the oversight of our public school system. This has necessitated Legislative involvement in virtually all aspects of the Department of Education. Notwithstanding the tremendous efforts on the part of many of our Representatives and Senators this must surely be the most inefficient means of setting our long term educational policy goals.

An appointed Board of Education, with an externally appointed Chairperson, is far less likely to be susceptible to the internal politics and influences that have removed the existing BOE from its role in the governance process thereby allowing its members to better place the interests of Hawaii's public school students and their parents above all other considerations.

2) It will attract a far broader universe of candidates to serve on the Board

Despite being responsible for the oversight of between 1/3 and 1/2 of the Hawaii state budget, Board of Education members are paid virtually nothing for their service. While this would not normally be an issue were the group to function as most other pro-bono policy boards do, the fact that the BOE has traditionally tended to dramatically micro manage the Department of Education far in excess of its constitutional mandate has meant that service on the Board is effectively a full time job. This tendency to micro manage is further reinforced by the fact that what little Board members are paid is based upon the number of meetings they attend.

Needless to say, there is an extremely small universe of candidates available for full time jobs that pay virtually nothing. Add to this the fact that to serve on the BOE one must first undergo all of the trials and tribulations of the electoral process and that universe narrows further still. Naturally, elected Board members are also far more susceptible to the influence of various special interest groups.

We are an Island state. If we are going to succeed in transforming Hawaii's public school system into one that permits our graduates to compete with other world-class systems we need to attract the largest pool of highly qualified applicants to the Board of Education as possible. These candidates must come to the position with a singular goal – that being the improvement of student outcomes. It is my view that an appointed Board of Education, functioning as true policy board, will attract a far greater and more diverse pool of these highly qualified applicants.

3) It will align the BOE governance structure with the exciting reforms that are taking place throughout the public school system through the next DOE Strategic Plan and the federal Race To The Top initiative upon which it is to be based

While there is an increasing awareness of the Race To The Top initiative in which Hawaii is now competing, far fewer people appreciate the implications of that initiative or the fact that it is to become the "backbone" of the Department of Education's next Strategic Plan.

The unprecedented reforms currently being implemented at the school level will dramatically increase the ability of our teachers, principals, Complex Area Superintendents and Superintendent to quickly identify the best elements of what techniques are working in our classrooms so they can be replicated. They will also allow our teachers and principals to adjust and reinforce those aspects that are not working as well as they should be. To be effective these reforms will require nothing short of a complete change in the culture of the DOE. That change of culture is absolutely essential if we are to provide ALL of our public school students with the knowledge and skills they will need to thrive in the 21st century.

As anyone who has been a part of a large institution can appreciate, it is virtually impossible to alter an organization's culture without the driving vision and force of that change emanating from the top. It is as simple as this - if the reforms now being codified into the DOE's next Strategic Plan are to succeed Hawaii will need the Board of Education itself to lead the way. The time has come to realign our public education governance structure in a way that supports and reinforces the reforms already underway throughout the rest of the Department of Education.

I fully support SB 2571 as a means of realigning interests within our public school system, restoring the confidence of the public at large in that system and most importantly leading to the profound culture shift necessary to get Hawaii's public schools where we all know they need to be.