
A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the task force on
2 reinventing government was established in 2009 to examine the
3 current operations and organization of state government and make
4 recommendations on making state government more efficient. The
5 task force found that the department of education's existing
6 governance and organizational structure is unwieldy and lacks
7 accountability. The task force submitted a final report to the
8 legislature that included a recommendation to restructure the
9 department of education into two major divisions, based on line
10 and staff functions, and to establish two senior deputy
11 superintendent positions - one in charge of primarily academic
12 achievement-related functions, and the other primarily
13 responsible for administrative functions.

14 The purpose of this Act is to implement the recommendation
15 of the task force on reinventing government to restructure the
16 department of education and establish two senior deputy
17 superintendent positions.



1 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding two new sections to part IV to be
3 appropriately designated and to read as follows:

4 "§302A- Duties of senior deputy superintendent for
5 academic achievement. The senior deputy superintendent for
6 academic achievement shall assume administrative responsibility
7 for all duties and functions assigned to the academic
8 achievement division. The specific duties and responsibilities
9 of the senior deputy superintendent for academic achievement
10 shall be established by the board, in consultation with the
11 superintendent. The senior deputy superintendent for academic
12 achievement shall report directly to the superintendent of
13 education and shall be evaluated on criteria established by the
14 board; provided that the evaluation criteria shall relate
15 primarily to improvements in student achievement.

16 §302A- Duties of senior deputy superintendent for
17 administration. The senior deputy superintendent for
18 administration shall assume administrative responsibility for
19 all duties and functions assigned to the administration
20 division. The specific duties and responsibilities of the
21 senior deputy superintendent for administration shall be
22 established by the board, in consultation with the



1 superintendent. The senior deputy superintendent for
2 administration shall report directly to the superintendent of
3 education and shall be evaluated on criteria established by the
4 board; provided that the evaluation criteria shall relate
5 primarily to the quality of support services provided to
6 teachers, principals, and complex area supervisors."

7 SECTION 3. Section 84-17, Hawaii Revised Statutes, is
8 amended by amending subsection (c) to read as follows:

9 "(c) The following persons shall file annually with the
10 state ethics commission a disclosure of financial interests:

11 (1) The governor, the lieutenant governor, the members of
12 the legislature, and delegates to the constitutional
13 convention; provided that delegates to the
14 constitutional convention shall only be required to
15 file initial disclosures;

16 (2) The directors and their deputies, the division chiefs,
17 the executive directors and the executive secretaries
18 and their deputies, the purchasing agents and the
19 fiscal officers, regardless of the titles by which the
20 foregoing persons are designated, of every state
21 agency and department;



- 1 (3) The permanent employees of the legislature and its
2 service agencies, other than persons employed in
3 clerical, secretarial, or similar positions;
- 4 (4) The administrative director of the State, and the
5 assistants in the office of the governor and the
6 lieutenant governor, other than persons employed in
7 clerical, secretarial, or similar positions;
- 8 (5) The hearings officers of every state agency and
9 department;
- 10 (6) The president, the vice presidents, assistant vice
11 presidents, the chancellors, and the provosts of the
12 University of Hawaii and its community colleges;
- 13 (7) The superintendent, senior deputy superintendents, the
14 deputy superintendent, the assistant superintendents,
15 the complex area superintendents, the state librarian,
16 and the deputy state librarian of the department of
17 education;
- 18 (8) The administrative director and the deputy director of
19 the courts;
- 20 (9) The members of every state board or commission whose
21 original terms of office are for periods exceeding one
22 year and whose functions are not solely advisory;



1 (10) Candidates for state elective offices, including
2 candidates for election to the constitutional
3 convention, provided that candidates shall only be
4 required to file initial disclosures; and

5 (11) The administrator and assistant administrator of the
6 office of Hawaiian affairs."

7 SECTION 4. Section 302A-101, Hawaii Revised Statutes, is
8 amended by adding two new definitions to be appropriately
9 inserted and to read as follows:

10 "Academic achievement division" means the academic
11 achievement division of the department of education, established
12 under section 302A-1102.

13 "Administration division" means the administration division
14 of the department of education, established under section
15 302A-1102."

16 SECTION 5. Section 302A-621, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "§302A-621 Salary; senior deputy superintendents, deputy
19 superintendent, assistant superintendents, complex area
20 superintendents. The salaries of the senior deputy
21 superintendents, the deputy superintendent, assistant
22 superintendents, and complex area superintendents shall be set



1 by the board; provided that the salaries of the senior deputy
2 superintendents, deputy superintendent, assistant
3 superintendents, and the complex area superintendents shall not
4 exceed eighty per cent of the superintendent's salary."

5 SECTION 6. Section 302A-1101, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "§302A-1101 Department of education; board of education;
8 superintendent of education[-]; senior deputy superintendents.

9 (a) There shall be a principal executive department to be known
10 as the department of education, which shall be headed by an
11 elected policy-making board to be known as the board of
12 education. The board shall have power in accordance with law to
13 formulate statewide educational policy, adopt student
14 performance standards and assessment models, monitor school
15 success, [~~and to~~] appoint the superintendent of education as the
16 chief executive officer of the public school system[-], and
17 delegate the duties and functions of the department to the
18 academic achievement and administration divisions, pursuant to
19 section 302A-1102.

20 (b) The board shall appoint, and may remove, the
21 superintendent by a majority vote of its members. The
22 superintendent:



1 (1) May be appointed without regard to the state residency
2 provisions of section 78-1(b);

3 (2) May be appointed for a term of up to four years; and

4 (3) May be terminated only for cause.

5 (c) The superintendent of education shall appoint, and may
6 remove, two senior deputy superintendents who shall be known
7 respectively as the senior deputy superintendent for academic
8 achievement and the senior deputy superintendent for
9 administration. Each senior deputy superintendent shall be
10 appointed for a term of up to four years and shall be terminated
11 only for cause. The senior deputy superintendents shall not be
12 subject to chapter 76.

13 [~~e~~] (d) The board shall invite the senior military
14 commander in Hawaii to appoint a nonvoting military
15 representative to the board, who shall serve for a two-year term
16 without compensation. As the liaison to the board, the military
17 representative shall advise the board regarding state education
18 policies and departmental actions affecting students who are
19 enrolled in public schools as family members of military
20 personnel. The military representative shall carry out these
21 duties as part of the representative's official military duties
22 and shall be guided by applicable state and federal statutes,



1 regulations, and policies and may be removed only for cause by a
2 majority vote of the members of the board.

3 ~~[(d)]~~ (e) The board shall appoint the charter school
4 review panel, which shall serve as the charter authorizer for
5 charter schools, with the power and duty to issue charters,
6 oversee and monitor charter schools, hold charter schools
7 accountable for their performance, and revoke charters."

8 SECTION 7. Section 302A-1102, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "~~[(f)]~~§302A-1102~~[(f)]~~ Department of education; divisions;
11 statewide and regional administrative services. [~~The department~~
12 ~~shall serve as the central support system responsible for the~~
13 ~~overall administration of statewide educational policy,~~
14 ~~interpretation, and development of standards for compliance with~~
15 ~~state and federal laws, and coordination and preparation of a~~
16 ~~systemwide budget for the public schools.] (a) The department
17 shall consist of two divisions:~~

18 (1) The academic achievement division shall be headed by
19 the senior deputy superintendent for academic
20 achievement and shall be primarily responsible for
21 improvements in student achievement including
22 administering statewide educational policy, managing



1 supervisors of regional administrative units,
2 developing standards and assessments for student
3 achievement, developing curriculum, ensuring
4 compliance with state and federal laws relating to
5 curriculum, and ensuring the provision of special
6 education needs; and

7 (2) The administration division shall be headed by the
8 senior deputy superintendent for administration and
9 shall be primarily responsible for providing quality
10 support and central services including managing all
11 budgetary, financial, facilities, human resources,
12 transportation, food services, and data technology
13 needs of the department.

14 The board shall delegate all duties and functions of the
15 department to the two divisions in consultation with the
16 superintendent and in accordance with the general areas of
17 responsibility established for each division under this
18 subsection.

19 (b) The department may establish regional administrative
20 units to provide administrative support to the schools for
21 personnel, fiscal, and procurement services. The regional
22 administrative units may also be assigned responsibility for the



1 administration and operation of special education programs and
2 special schools."

3 SECTION 8. Section 302A-1111, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Under policies established by the board, the
6 superintendent shall be designated as the chief executive
7 officer of the public school system having jurisdiction over the
8 internal organization, operation, and management of the public
9 school system, as provided by law; and shall administer programs
10 of education and public instruction throughout the State,
11 including education at the preschool, primary, and secondary
12 school levels, and such other programs as may be established by
13 law.

14 The superintendent shall advise the board in the board's
15 delegation of the duties and functions of the department to the
16 academic achievement and administration divisions, pursuant to
17 section 302A-1102."

18 SECTION 9. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 10. This Act shall take effect upon its approval.

21



Report Title:

DOE; Restructuring

Description:

Restructures the department of education into two major divisions - the academic achievement division and the administration division - and establishes two senior deputy superintendent positions to head the divisions. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

