
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. The legislature finds that, with the budgetary
2 authority and flexibility granted to the public schools, it is
3 in the public interest to ensure responsiveness and
4 accountability to the school community.

5 To achieve this, the legislature believes it is necessary
6 to enhance communication between various stakeholders and
7 develop a system of decision making that is transparent to all
8 interested parties.

9 SECTION 2. Section 302A-638, Hawaii Revised Statutes, is
10 amended to read as follows:

11 " ~~[+]~~ §302A-638 ~~[+]~~ Evaluation of teachers and educational
12 officers. The department shall establish an evaluation program
13 for all teachers and educational officers. The evaluation shall
14 be performed at least once in each school year. The program
15 shall define the criteria for evaluation and assign
16 responsibilities for the application of the criteria. The
17 evaluation of a teacher or educational officer shall be on the
18 basis of efficiency, ability, and such other criteria as the



1 department shall determine[-]; provided that evaluations of
2 school principals shall include an assessment of their
3 performance in carrying out their powers and duties under
4 section 302A-1103."

5 SECTION 3. Section 302A-1004, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) The department shall implement a comprehensive system
8 of educational accountability to motivate and support the
9 improved performance of students and the education system. This
10 accountability system shall:

- 11 (1) Include student accountability; school or collective
12 accountability; individual professional accountability
13 for teachers, principals, and other employees; and
14 public accounting to parents, community members,
15 businesses, higher education, media, and political
16 leadership;
- 17 (2) Link authority and resources to responsibility;
- 18 (3) Define clear roles for all parties and lines of
19 responsibility and mutual obligation and develop a
20 collaborative process with stakeholders, including
21 representatives of appropriate bargaining units,
22 parents, administration, and students;



- 1 (4) Assess and track measures of academic achievement,
2 safety and well-being, and civic responsibility of
3 individual students at selected grade levels and
4 report trend data on these measures over time
5 annually;
- 6 (5) Invoke a full and balanced set of appropriate
7 consequences for observed performance, including
8 rewards and recognition for those schools that meet or
9 exceed their goals, assistance to those that fall
10 short, and sanctions for those that, given adequate
11 assistance and ample time, continue to fail to meet
12 goals;
- 13 (6) Involve an annual statewide assessment program that
14 provides a report card containing trend data on
15 school, school complex, and system performance at
16 selected benchmark grade levels with performance
17 indicators in areas relating to student achievement,
18 safety and well-being, and civic responsibility.
19 These performance indicators shall include [~~but not be~~
20 ~~limited to~~]:
- 21 (A) Student performance relative to statewide content
22 and performance standards; and



- 1 (B) School attendance and dropout rates;
- 2 (7) Require that teachers and administrators engage in the
- 3 continuous professional growth and development that
- 4 ensure their currency with respect to disciplinary
- 5 content, leadership skill, knowledge, or pedagogical
- 6 skill, as appropriate to their position. This
- 7 requirement may be established by the department in
- 8 terms of credit hours earned or their equivalent in
- 9 professional development activity certified by the
- 10 department as appropriate in focus and rigor;
- 11 (8) Establish an explicit link between professional
- 12 evaluation results and individual accountability
- 13 through professional development of the knowledge,
- 14 skill, and professional behavior necessary to the
- 15 position, by requiring that results of the
- 16 professional evaluation be used by the department to
- 17 prescribe professional development focus and content,
- 18 as appropriate;
- 19 (9) Include an annual statewide fiscal accountability
- 20 program, which includes a published report card that
- 21 contains trend data on school, school complex, and
- 22 systemwide plans and results, including:



- 1 (A) Amounts allocated;
- 2 (B) Amounts expended;
- 3 (C) Amounts carried over; and
- 4 (D) Any significant changes to the budget, with an
- 5 explanation for the change;
- 6 (10) Include an evaluation of the effectiveness of complex
- 7 area superintendents and principals in supporting:
- 8 (A) Students' academic achievement, safety and well-
- 9 being, and civic responsibility; and
- 10 (B) The satisfaction of stakeholders affected by the
- 11 work of the complex area superintendents and
- 12 principals, which may be measured by broadbased
- 13 surveys; and
- 14 (C) Fiscal accountability[-], including
- 15 implementation of section 302A-1308."

16 SECTION 4. Section 302A-1103, Hawaii Revised Statutes, is
 17 amended to read as follows:

18 "§302A-1103 Principal; authority and responsibility. The
 19 role of the principal shall include [~~but not be limited to~~]
 20 overseeing the day-to-day management of the school, the primary
 21 function of which is to develop and deliver instructional
 22 services to students in accordance with statewide educational



1 policy and to enable students to meet or exceed statewide
2 academic standards. The principal shall:

3 (1) Ensure that the curriculum facilitates the achievement
4 of the statewide student performance standards adopted
5 for the public school system;

6 (2) Develop and present to the school community council
7 for its review and approval, academic and financial
8 plans relating to the school;

9 (3) Exercise authority over the implementation of the
10 budget, policies, and operations of the school; [and]

11 (4) Develop and present to the school community council,
12 in accordance with section 302A-1308, the school
13 budget process as it aligns with the school's academic
14 and financial plans; and

15 [~~4~~] (5) Collaborate with other principals in the
16 principal's school complex to ensure that:

17 (A) Logical, sequential curricula are adopted within
18 the school complex;

19 (B) Best practices are shared among and implemented
20 by schools within the school complex;

21 (C) The goals and objectives of the school complex
22 are being met;



- 1 (D) The use of school complex-based personnel and
- 2 contractors who divide their time between more
- 3 than one school in a school complex is
- 4 coordinated to maximize efficiency; and
- 5 (E) The passage of students through the continuum of
- 6 grades is coordinated in a manner consistent with
- 7 section 302A-1004."

8 SECTION 5. Section 302A-1124, Hawaii Revised Statutes, is
9 amended by amending subsection (g) to read as follows:

10 "(g) The principal shall have the authority to set aside
11 any decision made by the school community council if the
12 principal determines it to be in the best interests of the
13 school; provided that the principal notifies the school
14 community council. If the school community council opposes a
15 decision of the principal, an appeal shall first be brought to
16 the complex area superintendent for resolution and, if
17 necessary, to the superintendent and, finally, to the board [~~of~~
18 ~~education~~]. The board shall develop an appeals process to
19 implement this subsection."

20 SECTION 6. Section 302A-1308, Hawaii Revised Statutes, is
21 amended to read as follows:

1 "§302A-1308 Use of resources by schools. School
2 principals shall exercise various means available, including
3 electronic media and websites, to engage and consult with
4 teachers, parents, and students to solicit [~~their~~] input and
5 advice on the use of [~~moneys and positions-~~] money, positions,
6 and other resources available to the school. Prior to expending
7 moneys and implementing position assignments, principals shall
8 submit plans for the use of the moneys and positions to their
9 complex area superintendents who shall review the plans for
10 conformance with departmental policies and rules. Upon approval
11 of the plans, moneys may be expended by the principals for
12 supplies, textbooks, equipment, and services. Positions may be
13 used to meet the unique needs of the schools."

14 SECTION 7. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 8. This Act shall take effect upon its approval.
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INTRODUCED BY:

Karen Luana

Hefekuma

Jan McKay


Jessica Wooly

[Signature]

[Signature]



H.B. NO. 995



Linda Shimizu

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Report Title:

School Finances; School Community Councils; Appeals Process;
Principal Evaluations

Description:

Requires fiscal accountability measures at the school level.
Requires the BOE to develop an appeals process for when school principals set aside a school community council decision.
Requires school principal evaluations to assess the performance of principals in carrying out statutory powers and duties.

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