

**Date:** 03/21/2011

**Committee:** House Education

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Bill:** SB 1487,SD1(sscr761) RELATING TO EDUCATION.

**Purpose of Bill:** Authorizes the department of education to close or consolidate existing schools in conformance with applicable administrative rules adopted pursuant to chapter 91, HRS. Requires the department of education to give notice to affected schools of closure or consolidation; provided that an affected school may remain open if it meets certain requirements within one year of the notice of closure or consolidation. Effective 7/1/2050. (SD1)

**Department's Position:** The Department of Education does not support this bill.

The procedures for the consolidation of public schools are already set forth in Hawaii Administrative Rules, Title 8 (Department of Education), Chapter 38 (Consolidation of Public Schools). Chapter 8-38 states the conditions which indicate the need to consider the consolidation of schools, provides procedures and guidelines to determine whether a school should be consolidated, and ensures that parents and other parties are informed and given the opportunity to express their views at a public hearing.

As amended, the DOE has the following concerns with this bill: 1) the DOE would need to change Chapter 38, HAR to conform the administrative rule to the new statutory language, and this will delay any consolidations in process, and 2) giving the school one year after notification of possible closure to come up with a plan for remaining viable will prolong the

consolidation process currently underway. Schools know whether they are on a list for a consolidation study and have had time to develop plans to remain viable.