

EDNtestimony

From: Shannon Wood [swood@hoku.com]
Sent: Tuesday, February 08, 2011 11:10 AM
To: EDNtestimony
Subject: SB 8 SD1 - RELATING TO EDUCATION

LATE WRITTEN TESTIMONY

LATE TESTIMONY

COMMITTEE ON EDUCATION
Representative Roy Takumi, Chair
Representative Della Au Belatti, Vice Chair

2 pm
Monday, February 7, 2011
Conference Room 309

SB 8 SD1 - RELATING TO EDUCATION

Establishes implementing legislation for the appointment of board of education members. Establishes considerations for the senate during the advise and consent process.

Submitted by:
Shannon Wood
P.O. Box 1013
Kailua, HI 96734

Speaking as an individual and not on behalf of any organization, I oppose **SB 8 SD1** for the following reasons:

First, former *Governor* Linda Lingle vetoed the companion legislation, **HB 2377 HD3 SB2 CD1** to the **Constitutional Amendment** which passed last fall. This bill would have established a candidate screening process which included setting up a **BOE Selection Advisory Council** similar to the one set up to provide the governor with a screened list of qualified candidates for the *University of Hawai'i Board of Regents*.

The advisory council was created by **Act 56, 2007** Hawai'i Legislature, in conformity with the amendment to **Article X, Section 6** of the *Hawai'i State Constitution* ratified by the voters on Nov. 7, 2006. The council is tied to the *University of Hawai'i* for administrative purposes. In 2008, **Act 56** was amended by **Act 9**. In 2010, **Act 58** was passed to establish a seven-member student advisory group.

As someone who has been tracking the **Board of Regents** since the mid-1990s, I can affirm that there has been a remarkable increase in the quality of the individuals with respect to their credentials and professional experience who now sit on the **BOR**. Just check out their **CVs** at <https://www.hawaii.edu/rcac/members.php>

If it works for this Hawai'i public educational institution, then it will work for selecting highly qualified candidates for the **Board of Education**.

Second, I am deeply concerned that, over time, without an independent vetting process in place, the reasoning behind nominating a particular individual to be sent on to the *Senate* for confirmation may be quite different than it is today. *Governor Abercrombie* is a well-educated individual with years of teaching and research experience, but there's no guarantee that a future governor will have that same background. During the past 30 years, other states have elected actors, professional athletes, and farmers with no educational experience or training as their governors and so could Hawai'i.

After examining the first draft of **HB 338** and its amendment, it is my opinion that this is the road to take in selecting nominees for an appointed *Board of Education*.

Mahalo for the opportunity to present my oral testimony at the hearing.

TESTIMONY ON SENATE BILL 8, SENATE DRAFT 1, RELATING TO EDUCATION

House Committee on Education

Hon. Roy Takumi, Chair

Hon. Della Au Belatti, Vice Chair

LATE TESTIMONY

February 9, 2011, 2:00 PM

State Capitol, Conference Room 309

Honorable Chair Takumi and committee members:

I am Kris Coffield, editorial director of Fracturedpolitics, an emergent political action network born out of internet activism. Currently, the network boasts over 50 local members, though I offer this testimony only on behalf of myself, in support of SB 8, SD1, with consideration for amendments.

While I was initially opposed to the appointment of Board of Education members, the overwhelming approval of the Hawaii Board of Education Amendment, Question 1, during last year's elections, gave lawmakers a mandate for streamlining accountability within the state's educational bureaucracy. In eliminating the creation of an advisory council to vet potential board members, SB 8, SD 1 accomplishes that task. An advisory panel would inhibit accountability and contravene the will of the electorate by diluting gubernatorial responsibility for appointment decisions, thereby creating a system in which competing factions can, and likely would, shift blame back and forth. Some have argued that an advisory panel implements much needed "checks and balances" in case leadership of the executive and legislative branches is split between two parties with opposing visions for scholastic improvement. Should such a situation occur, however, an advisory panel may become a scapegoat for the performance of board members or nominate candidates who are unacceptable to the governor, leading to delayed nominations and gridlock. In either case, the Board of Education selection process and subsequent board decisions would remain heavily politicized, with no clear line of accountability established for public evaluation. It is also worth noting that under such circumstances, an advisory panel would be bureaucratically redundant if the Senate retains "advise and consent" authority over gubernatorial nominations, as is set forth in SB8, SD1.

Furthermore, passage of SB 8, SD 1 would extend voting privileges to the Board of Education's student member (§302A-A). Too often, students, the primary stakeholders in the state's school system, are disenfranchised from participating in their own governance. Yet, as has been demonstrated by the success of programs like Kids Vote Hawaii, students are eager to exercise civic responsibility when afforded the opportunity. Moreover, 70 percent of high school students polled in a 2008 survey favored

granting the student member voting power, a step already taken by states as varied as California and Vermont.

Finally, apportioning seats by county, as this legislation does, allays the disproportionate advantage reaped by O'ahu-based representatives under the current system. Today, 10 out of 13 of the school board's voting members are from O'ahu, accounting for 77 percent of the Board of Education's total votes, despite O'ahu's population accounting for roughly two-thirds, or 66 percent, of the statewide total. Even allowing that the vast majority of the state's student population attends class on O'ahu, the most recent census data, released in 2010, expose higher rates of population growth for outer island counties as compared to the City and County of Honolulu. For example, Hawaii County and Maui County grew at 19.6 and 13.3 percent, respectively, while the City and County of Honolulu grew at a 3.6 percent clip. Clearly, population growth is trending toward outer island communities. Power sharing inequalities are borne out by student population statistics, too, as City and County of Honolulu enrollment stands at 116,952 for the 2010-2011 academic year, accounting for approximately 69 percent of the state's total enrollment of 169,987, a number that, again, falls short of the 77 percent of votes allocated to representatives of districts falling within Honolulu's boundaries. If SB 8, SD 1 is codified promptly and properly into law, this disparity in voting clout could be redressed through a combination of minimizing guaranteed seats (§302A-A, as amended) and geographical considerations during the nomination and confirmation process (§302A-F, as amended).

One concern I had with the bill, as previously drafted, was the potential reappointment of the Board of Education's student member "even though the member is no longer a student at the time of reappointment." This concern was alleviated, however, by the addition of a provision to §302A-C(c) mandating that the student member be a student at the time of reappointment and for the majority of his or her second term, thereby ensuring the continued enfranchisement of public school students. Further passages were added to §302A-C(c) stipulating that the student member must maintain an overall grade point average of 2.0 or higher and will not participate in votes on personnel matters. Both of these amendments strengthen the bill, in my opinion, by bringing it into accord with similar measures enacted nationwide, as does the inclusion of Hawaii's P-20 Partnerships in section §302A-F.

A lingering concern is the place of Native Hawaiians and charter schools at the table of educational governance. As expressed at the Senate Committee on Education's previous hearing on this measure, Native Hawaiians comprise roughly 30 percent of the state's public school student population, according to the Office of Hawaiian Affairs. Numerous programs have been implemented in Hawaii's schools to acknowledge and promote our host culture, including the teaching of Native Hawaiian language, history, music and agricultural methods. Yet, as written, SB 8, SD 1 incorporates no guarantor of Native Hawaiian representation on the Board of Education, nor does the bill guarantee representation for the state's 31 charter schools, some of which, like Kaneohe's Hakipu'u Learning Center, embody the 'olelo no'eau, "Ma ka hana ka 'ike," (the knowing is in the doing) by integrating modern technological demands with traditional Hawaiian practices. Encouraging the governor to

consider the needs Native Hawaiians and charter schools during the appointment process is one way to address the issue. A more efficient vehicle for ensuring representation for Hawaii's indigenous people would be to amend subsection §302A-A(a)(1)(E) to enact the appointment of six at-large members, at least one of whom must be of Native Hawaiian ancestry. Another way of executing indigenous representation, should the question of ancestry be complicated by issues relating to blood quantum, would be to amend section §302A-A by adding a subsection (e) inviting the Office of Hawaiian Affairs to appoint a nonvoting Native Hawaiian representative to the board, in a similar mode as provision §302-A(d), which invites the state's senior military commander to appoint a nonvoting military liaison. Such a change would also entail revising the title of section §302A-A to read: "Board of Education; members; military representative; Native Hawaiian representative."

Again, it is imperative that the State Legislature act on this matter with alacrity. Besieged by a range setbacks—furlough Fridays, infighting over the execution of drug-testing, cyberbullying, achievement gaps on national assessments, and ongoing teacher shortages, just to name a few—Hawaii's education system is now, more than ever, in need of consistent leadership that can be held accountable to the public trust. Passage of SB 8, SD 1 is a step toward realizing that goal.

Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Editorial Director
Fracturedpolitics

EDNtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 08, 2011 4:39 AM
To: EDNtestimony
Cc: sgd8@hawaiiantel.net
Subject: Testimony for SB8 on 2/9/2011 2:05:00 PM

Testimony for EDN 2/9/2011 2:05:00 PM SB8

LATE TESTIMONY

Conference room: 309
Testifier position: support
Testifier will be present: No
Submitted by: Susan Dursin
Organization: Individual
Address: 83-5593 Middle Keel Road Captain Cook, HI 96704
Phone: 808-328-8514
E-mail: sgd8@hawaiiantel.net
Submitted on: 2/8/2011

Comments:

I urge you to vote for SB8, SD1 as written.

In changing the selection process for the Board of Education, voters in November believed they were approving the direct appointment of members by the governor, choosing from a list generated by the public. Any intervening steps in the process tend to obscure the public's view and reduce the governor's accountability.

This bill ensures transparency and the public's right to input. Please approve it.

Respectfully submitted,
Susan Dursin