

Date: 03/28/2012

Committee: House Finance

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 2540,SD2,HD1(hscr1224-12) RELATING TO EDUCATION.

Purpose of Bill: Amends or repeals various provisions of chapter 302A, Hawaii Revised Statutes, for housekeeping and other purposes. (SD1)

Department's Position:

The Department of Education supports this bill. Deleting unnecessary, duplicative, or inconsistent provision of Chapter 302A will promote transparency and accountability to the public, will highlight legislative policy directions expressed in statute, and will allow for a more efficient and effective use of the Department's resources. The Department wishes to emphasize, as stated in Section 1 of this measure, that where this measure calls for the repeal of specific sections of Chapter 302A, the intent is not to suggest that the Department did not or will not have the proper legal authority to implement the programs or activities covered by the sections to be repealed. Rather, the intent of this measure is to place decision making authority over those certain programs or activities at the more appropriate level, whether at the Board policy level or at the Department administrative and implementation level.

This draft has an effective date of July 1, 2050, to encourage further discussion. This measure is comprehensive in scope, and it affects certain sections of Chapter 302A that are simultaneously under review by other legislative measures this session. For example, HB 2513,HD1,SD1 relating to school health aides is intended to amend Section 302A-853 and Section 302A-854 and repeal Section 302A-855. We asked that, ultimately, these various specific legislative measures be reconciled with this omnibus bill to reflect the final decisions of the Legislature concerning sections of Chapter 302A.

In addition, the Department recommends the following amendments:

Section 21 (Amending HRS §302A-1143), substitute the phrase "service area" for the word "complex" such that a student shall attend the school in the school service area the student resides. A complex area contains multiple school service areas, and the intent is that a student attends the school servicing the area the student resides. The student does not have a free choice among several schools whose service areas are encompassed by the complex area within which the student resides.