

# SB2540

Relating to Education

EDU, WAM



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

Monday, January 30, 2012, 1:15 PM  
State Capitol Room 225

Testimony of  
Tammi Chun, Ed.D.  
Policy Office of the Governor, State of Hawaii

To the Senate Education Committee  
Senator Jill Tokuda, Chair  
Senator Michelle Kidani, Vice Chair

SB 2540 - Relating to Education

Written Testimony Only

Chair Tokuda, Vice Chair Kidani, and members of the Committee:

Thank you for the opportunity to submit testimony in support of SB 2540. SB 2540 and SB 2543 amend Hawaii Revised Statutes section 302A for "housekeeping and other purposes." The Office of the Governor supports the intent of this bill in deleting provisions of HRS 302A that are already mandated by federal law and do not require codification in state statute or are policy and programmatic matters which are better suited to Board of Education or Department of Education policies. A streamlined HRS 302A provides clear legislative policy directions expressed in statute.



**STATE OF HAWAII  
BOARD OF EDUCATION**  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Senate Committee on Education**  
Senator Jill N. Tokuda, Chairperson  
Senator Michelle N. Kidani, Vice Chairperson

Monday, January 30, 2012  
1:15 p.m.  
Hawai'i State Capitol, Room 225

**Testimony of Don G. Horner, Chairperson**

**Testimony in SUPPORT of SB 2540, Relating to Education**

Thank you for the opportunity to submit testimony. The Board of Education SUPPORTS SB 2540.

This bill aims to create a more effective educational delivery system by eliminating redundancy in the law and promoting accountability. Ensuring the proper allocation of decision making responsibility and authority between the Legislature and the Board is the cornerstone of building an effective system.

SB 2540 is consistent with the 2011 Legislative request, Senate Concurrent Resolution 79, that the Board amend and reduce regulatory constraints and requirements in order to assist the Board, the Department of Education and school administrators in creating a more effective educational delivery system.

SB 2540 promotes transparency in the process by clarifying the policy and program oversight responsibilities of the Board. The Board will work closely with the Department to ensure strong policy decisions guide the implementing programs and that such programs will be based on careful research and best practices.

Thank you for the opportunity to provide testimony in support of SB 2540.

**Date:** 01/30/2012

**Committee:** Senate Education

**Department:** Education

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

**Title of Bill:** SB 2540 RELATING TO EDUCATION.

**Purpose of Bill:** Amends or repeals various provisions of chapter 302A for housekeeping and other purposes.

**Department's Position:** The Department of Education supports this bill. Deleting unnecessary, duplicative, or inconsistent provisions of Chapter 302A will promote transparency and accountability to the public, highlight legislative policy directions expressed in statute, and allow for a more efficient and effective use of the Department's resources. In reviewing the bill, we have identified certain sections of Chapter 302A we feel should remain in codified law because having those sections expressly affirm department or board authority and minimizes potential disputes or legal challenges. For example, our fiscal office would like to retain Sections 302A-1404 and 302A-1130.5. The Department will work with appropriate legislative staff for these and similar sections on the technical, non-substantive details.

January 29, 2012

Senator Jill Tokuda, Chair  
Senator Michelle Kidani, Vice-Chair  
And Members of the Senate Education Committee

RE: SB2540 RELATING TO EDUCATION

When reading over SB2540, I was shocked to see that it included repealing HRS 302A-1150 (located in section 48 of the bill)

I am sure that all of us here in Hawaii, for some reason or another, have used the public school facilities for something other than school related activities. I have been to baby luaus, Boy Scouts, craft fairs, community meetings, exercise classes, fund raisers, etc., all at local public schools. As citizens of Hawaii, our right to do this has been guarded by this statute.

I sincerely urge you to remove this section of what is otherwise a good and useful bill.

Thank you so much.

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