

JAN 17 2013

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. In 2012, the legislature passed Act 133,
2 Session Laws of Hawaii 2012, which sought to add clarity to or
3 resolve conflicting or inconsistent language among different
4 sections of law and to amend or repeal various sections of
5 chapter 302A, Hawaii Revised Statutes.

6 The purpose of this Act is to continue to amend or repeal
7 various sections of chapter 302A, Hawaii Revised Statutes, that:

- 8 (1) Have been accomplished and are no longer necessary;
- 9 (2) Impede rather than assist the department of education
10 in meeting its core mission;
- 11 (3) Fall under the purview of the board of education, such
12 as policy, staffing, and programmatic decisions;
- 13 (4) Are mandated by federal law and do not require
14 codification in state law; or
- 15 (5) Are covered by another section of the Hawaii Revised
16 Statutes, administrative rules, or board of education
17 policy.



1 SECTION 2. Section 36-27, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Except as provided in this section, and
4 notwithstanding any other law to the contrary, from time to
5 time, the director of finance, for the purpose of defraying the
6 prorated estimate of central service expenses of government in
7 relation to all special funds, except the:

- 8 (1) Special out-of-school time instructional program fund
9 under section 302A-1310;
- 10 (2) School cafeteria special funds of the department of
11 education;
- 12 (3) Special funds of the University of Hawaii;
- 13 (4) State educational facilities improvement special fund;
- 14 (5) Convention center enterprise special fund under
15 section 201B-8;
- 16 (6) Special funds established by section 206E-6;
- 17 (7) Housing loan program revenue bond special fund;
- 18 (8) Housing project bond special fund;
- 19 (9) Aloha Tower fund created by section 206J-17;
- 20 (10) Funds of the employees' retirement system created by
21 section 88-109;



- 1 (11) Unemployment compensation fund established under
- 2 section 383-121;
- 3 (12) Hawaii hurricane relief fund established under chapter
- 4 431P;
- 5 (13) Hawaii health systems corporation special funds and
- 6 the subaccounts of its regional system boards;
- 7 (14) Tourism special fund established under section 201B-
- 8 11;
- 9 (15) Universal service fund established under section 269-
- 10 42;
- 11 (16) Emergency and budget reserve fund under section 328L-
- 12 3;
- 13 (17) Public schools special fees and charges fund under
- 14 section 302A-1130;
- 15 (18) Sport fish special fund under section 187A-9.5;
- 16 (19) Glass advance disposal fee established by section
- 17 342G-82;
- 18 (20) Center for nursing special fund under section 304A-
- 19 2163;
- 20 (21) Passenger facility charge special fund established by
- 21 section 261-5.5;



- 1 (22) Court interpreting services revolving fund under
2 section 607-1.5;
- 3 (23) Hawaii cancer research special fund;
- 4 (24) Community health centers special fund;
- 5 (25) Emergency medical services special fund;
- 6 (26) Rental motor vehicle customer facility charge special
7 fund established under section 261-5.6;
- 8 (27) Shared services technology special fund under section
9 27-43; ~~and~~
- 10 (28) Automated victim information and notification system
11 special fund established under section 353-136[7];
- 12 (29) Hawaii 3R's school repair and maintenance fund under
13 section 302A-1502.4; and
- 14 (30) After-school plus program special fund under section
15 302A-1149.5,
- 16 shall deduct five per cent of all receipts of all special funds,
17 which deduction shall be transferred to the general fund of the
18 State and become general realizations of the State. All
19 officers of the State and other persons having power to allocate
20 or disburse any special funds shall cooperate with the director
21 in effecting these transfers. To determine the proper revenue
22 base upon which the central service assessment is to be



1 calculated, the director shall adopt rules pursuant to chapter
2 91 for the purpose of suspending or limiting the application of
3 the central service assessment of any fund. No later than
4 twenty days prior to the convening of each regular session of
5 the legislature, the director shall report all central service
6 assessments made during the preceding fiscal year."

7 SECTION 3. Section 36-32, Hawaii Revised Statutes, is
8 amended to read as follows:

9 **"§36-32 State educational facilities improvement special**
10 **fund.** (a) There is created in the treasury of the State the
11 state educational facilities improvement special fund, into
12 which shall be deposited a portion of all general excise tax
13 revenues collected by the department of taxation under section
14 237-31. The special fund shall be used solely to plan, design,
15 acquire lands for, and to construct public school facilities and
16 to provide equipment and technology infrastructure to improve
17 public schools and other facilities under the jurisdiction of
18 the department of education, except public libraries. In
19 addition, activities of the department of education intended to
20 eliminate the gap between the facility needs of schools and
21 available resources shall be eligible for funding from the
22 special fund. Expenditures from the special fund shall be



1 limited to projects authorized by the legislature and shall be
2 subject to sections 37-31, and 37-33 through 37-40.

3 Appropriations or authorizations from the special fund shall be
4 expended by the superintendent of education.

5 (b) There is established within the state educational
6 facilities improvement special fund a separate account, to be
7 known as the lease payments for schools account, for lease
8 payments required by financing agreements entered into by the
9 department of education pursuant to this section and sections
10 37D-2 and 302A-1506. The lease payments for schools account
11 shall be funded by legislative appropriations and expended by
12 the superintendent of education. Expenditures from the lease
13 payments for schools account shall be exempt from chapters 103
14 and 103D and are restricted to lease payments on new schools
15 included within the department of education's current six year
16 capital improvement programs and for which:

17 (1) The legislature adopted a concurrent resolution
18 directing the department of education to:

19 (A) Build a new school in a specific geographic area
20 using the design-build method; and

21 (B) Pursue the use of a financing agreement to build
22 the new school; or



1 (2) The legislature appropriated planning and design funds
2 and specified that the remainder of the costs
3 necessary to complete the project are eligible for
4 funding through a financing agreement;
5 provided that any school to which the legislature has
6 appropriated planning and design funds prior to July 1, 2007 and
7 for which a private developer is willing to enter into a lease-
8 purchase agreement with the department of education within
9 twelve months of July 1, 2007 is exempt from the requirements of
10 [+]paragraphs[+] (1) and (2).

11 ~~[(c) The department of education shall submit an annual
12 report to the legislature that shall include a financial
13 statement of the special fund, the lease payments for schools
14 account established under subsection (b), and the status of
15 projects undertaken pursuant to this section, no later than
16 twenty days prior to the convening of each regular session.]"~~

17 SECTION 4. Section 36-36, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§36-36 School physical plant operations and maintenance**
20 **account; maintenance schedule.** (a) There is created in the
21 state general fund under EDN 400 (school support) the school
22 physical plant operations and maintenance account, into which



1 shall be deposited all legislative appropriations to the
2 account.

3 The moneys in the account shall be used solely for school
4 repairs and preventive maintenance projects scheduled after
5 June 30, 2001. Expenditures from the account shall be subject
6 to sections 37-31 and 37-33 to 37-40. Based on the
7 prioritization approved by the department of education,
8 appropriations or authorizations from the account shall be
9 expended by the superintendent of education.

10 (b) Every school facility newly constructed or renovated
11 after June 30, 2001, shall include a preventive maintenance
12 schedule prepared by the architect or engineer of the facility
13 or the capital improvement project. The maintenance schedule
14 shall include:

15 (1) A description of each major component of a facility or
16 capital improvement project and the component's
17 maintenance;

18 (2) The starting date of each maintenance project;

19 (3) The current, future, and any recurring cost of each
20 maintenance project;

21 (4) The useful life of the facility or capital improvement
22 project;



1 (5) The present value of the cost of normally scheduled
2 maintenance over the useful life of the facility;

3 (6) The adjusted life of the facility or capital
4 improvement project; and

5 (7) The replacement date of the facility or capital
6 improvement project.

7 (c) Moneys in physical plant operations and maintenance
8 account shall be allocated according to departmental school
9 districts based on:

10 (1) Estimated preventive and scheduled maintenance costs
11 that reflect the age and condition of existing school
12 facilities in the State in the following categories:
13 re-roofing, electrical, athletic facilities, re-
14 surfacing, equipment, exterior painting, plumbing,
15 structural integrity, termite ground treatment,
16 termite tent treatment, interior painting, air
17 conditioning change out, and re-carpeting; and

18 (2) Budgeted recurring maintenance, health and safety
19 requirements, and legal mandates.

20 (d) The expenditure of funds made under this Act for any
21 project with an estimated total cost of less than \$100,000 shall
22 be exempt from section 464-4; provided that:



- 1 (1) The superintendent of education shall develop internal
2 policies and procedures for the procurement of goods,
3 services, and construction, consistent with the goals
4 of public accountability and public procurement
5 practices, subject to chapter 103D;
- 6 (2) Insofar as is practical, and based on specifications
7 developed, adequate and reasonable competition of no
8 fewer than three quotations shall be solicited for
9 each project based on rules adopted by the
10 superintendent of education;
- 11 (3) Considering all factors, including quality, warranty,
12 and delivery, the award shall be made to the vendor
13 with the most advantageous quotation;
- 14 (4) The procurement requirements shall not be artificially
15 divided or parceled so as to avoid competitive bidding
16 or competitive proposals; and
- 17 (5) Formal design for projects shall be done when there is
18 a clear need to preserve structural integrity, health
19 and safety, or to clearly communicate construction
20 requirements.

21 ~~[(e) The superintendent of education shall submit an~~
22 ~~annual report to the legislature, which shall include a~~



1 ~~financial statement of the account and the status of school~~
2 ~~repair and preventive maintenance projects undertaken pursuant~~
3 ~~to this section, no later than twenty days prior to the~~
4 ~~convening of each regular session. The department of education~~
5 ~~shall post the following reports electronically on the Internet~~
6 ~~and update them quarterly.~~

7 ~~(1) Expenditures for school repair and preventive~~
8 ~~maintenance projects undertaken pursuant to this~~
9 ~~section, shall be posted within thirty days of each~~
10 ~~project's completion; and~~

11 ~~(2) A list of each school's repair and maintenance needs~~
12 ~~to be undertaken.] "~~

13 SECTION 5. Section 302A-101, Hawaii Revised Statutes, is
14 amended by adding five new definitions to be appropriately
15 inserted and to read as follows:

16 "Admit" or "admitted" means a student has met all of the
17 department's requirements to attend school and is recorded in
18 the student information system.

19 "Attend" or "attendance" means a student is physically
20 present in school.

21 "Certificate" means a certificate issued by the Hawaii
22 teacher standards board to indicate the subject area and grade



1 level for which a teacher has met all employment requirements
2 and is qualified to teach.

3 "Enroll" or "enrollment" means a student is recorded on a
4 list to be admitted to a school, pending satisfaction of
5 admission requirements.

6 "License" means a license issued by the Hawaii teacher
7 standards board to authorize the licensee to teach in the
8 State."

9 SECTION 6. Section 302A-102, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "[~~§~~302A-102~~] Smoking prohibited[; exception]. [~~a~~]"~~

12 All public schools within the State, from kindergarten through
13 grade twelve, shall prohibit the use of tobacco at public
14 schools or at public school functions.

15 ~~[(b) The department shall provide affected public employees~~
16 ~~with breaks throughout the work day during which they may smoke~~
17 ~~at locations off campus. The number and duration of such breaks~~
18 ~~shall be subject to collective bargaining.~~

19 ~~(c) The department shall provide a smoking cessation~~
20 ~~program for public employees who are interested in~~
21 ~~participating, provided that issues relating to the costs of the~~
22 ~~program shall be subject to collective bargaining.~~



1 ~~(d) This section shall not be subject to part II of chapter~~
2 ~~328K.] "~~

3 SECTION 7. Section 302A-603, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

5 "(b) Beginning with the 1997-1998 school year, whoever
6 serves in the department as a teacher, paid under the salary
7 schedule contained in the unit 5 collective bargaining
8 agreement, without holding an unrevoked or unsuspended license
9 or ~~[credential]~~ certificate issued under sections 302A-801 to
10 302A-808, shall be fined not more than \$500."

11 SECTION 8. Section 302A-605, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§302A-605 Principals and vice-principals.** ~~[(a)]~~
14 Principals and vice-principals shall meet the department's
15 certification requirements ~~[and shall have at least five years~~
16 ~~of appropriate school-level experience, including at least three~~
17 ~~years as a teacher, or equivalent experience, as determined by~~
18 ~~the department]~~.

19 ~~[(b) Vice principals shall meet the department's~~
20 ~~certification requirements and shall have appropriate school-~~
21 ~~level or equivalent experience, as determined by the department.~~



1 ~~(c) The department shall establish alternative routes to~~
2 ~~certification for principals and vice principals pursuant to~~
3 ~~rules adopted under chapter 91.~~

4 ~~(d) For purposes of this section, "alternative routes to~~
5 ~~certification" has the same meaning as determined by United~~
6 ~~States Department of Education regulations for state~~
7 ~~applications for Race to the Top fund allocations under section~~
8 ~~14001 of the federal American Recovery and Reinvestment Act of~~
9 ~~2009, as amended.]"~~

10 SECTION 9. Section 302A-1004, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§302A-1004 Educational accountability system; annual**
13 **reports.** (a) The department shall implement a comprehensive
14 system of educational accountability to motivate and support the
15 improved performance of students and the education system. This
16 accountability system shall:

17 (1) Include student accountability; school or collective
18 accountability; individual professional accountability
19 for teachers, principals, and other employees; and
20 public accounting to parents, community members,
21 businesses, higher education, media, and political
22 leadership;



- 1 (2) Link authority and resources to responsibility;
- 2 (3) Define clear roles for all parties and lines of
- 3 responsibility and mutual obligation and develop a
- 4 collaborative process with stakeholders, including
- 5 representatives of appropriate bargaining units,
- 6 parents, administration, and students;
- 7 (4) Assess and track measures of academic achievement,
- 8 safety and well-being, and civic responsibility of
- 9 individual students at selected grade levels and
- 10 report trend data on these measures over time
- 11 annually;
- 12 (5) Invoke a full and balanced set of appropriate
- 13 consequences for observed performance, including
- 14 rewards and recognition for those schools that meet or
- 15 exceed their goals, assistance to those that fall
- 16 short, and sanctions for those that, given adequate
- 17 assistance and ample time, continue to fail to meet
- 18 goals;
- 19 (6) Involve an annual statewide assessment program that
- 20 provides a report card containing trend data on
- 21 school, school complex, and system performance at
- 22 selected benchmark grade levels with performance



1 indicators in areas relating to student achievement,
2 safety and well-being, and civic responsibility.

3 These performance indicators shall include but not be
4 limited to:

5 (A) Student performance relative to statewide content
6 and performance standards; and

7 (B) School attendance and dropout rates;

8 (7) Require that teachers and administrators engage in the
9 continuous professional growth and development that
10 ensure their currency with respect to disciplinary
11 content, leadership skill, knowledge, or pedagogical
12 skill, as appropriate to their position. This
13 requirement may be established by the department in
14 terms of credit hours earned or their equivalent in
15 professional development activity certified by the
16 department as appropriate in focus and rigor;

17 (8) Establish an explicit link between professional
18 evaluation results and individual accountability
19 through professional development of the knowledge,
20 skill, and professional behavior necessary to the
21 position, by requiring that results of the
22 professional evaluation be used by the department to



1 prescribe professional development focus and content,
2 as appropriate;

3 (9) Include an annual statewide fiscal accountability
4 program, which includes a published report card that
5 contains trend data on school, school complex, and
6 systemwide plans and results, including:

7 (A) Amounts allocated;

8 (B) Amounts expended;

9 (C) Amounts carried over; and

10 (D) Any significant changes to the budget, with an
11 explanation for the change; and

12 (10) Include an evaluation of the effectiveness of complex
13 area superintendents and principals in supporting:

14 (A) Students' academic achievement, safety and well-
15 being, and civic responsibility; and

16 (B) The satisfaction of stakeholders affected by the
17 work of the complex area superintendents and
18 principals, which may be measured by broadbased
19 surveys; and

20 (C) Fiscal accountability.

21 ~~[(b) The department shall submit to the legislature, the~~
22 ~~governor, and the board of education at least twenty days prior~~



1 ~~to the convening of each regular legislative session a report of~~
2 ~~the specifics of the implementation of the comprehensive~~
3 ~~accountability system, as well as the fiscal requirements and~~
4 ~~legislative actions necessary to maintain and improve the~~
5 ~~accountability system.~~

6 ~~(c) The department shall submit to the legislature and to~~
7 ~~the governor, at least twenty days prior to the convening of~~
8 ~~each regular session, an educational status report that includes~~
9 ~~but is not limited to the following:~~

- 10 ~~(1) Results of school by school assessments of educational~~
11 ~~outcomes;~~
- 12 ~~(2) Summaries of each school's standards implementation~~
13 ~~design;~~
- 14 ~~(3) Summary descriptions of the demographic makeup of the~~
15 ~~schools, with indications of the range of these~~
16 ~~conditions among schools within Hawaii;~~
- 17 ~~(4) Comparisons of conditions affecting Hawaii's schools~~
18 ~~with the conditions of schools in other states;~~
- 19 ~~(5) Other such assessments as may be deemed appropriate by~~
20 ~~the board; and~~
- 21 ~~(6) Any other reports required by this section.~~



1 ~~(d)~~ (b) The department shall provide electronic access to
2 computer-based financial management, student information, and
3 other information systems to the legislature and the auditor.
4 The department shall submit to the legislature and to the
5 governor, at least twenty days prior to the convening of each
6 regular session, a school-by-school expenditure report that
7 includes but is not limited to the following:

8 (1) The financial analysis of expenditures by the
9 department with respect to the following areas:

- 10 (A) Instruction, including face-to-face teaching, and
11 classroom materials;
- 12 (B) Instructional support, including pupil, teacher,
13 and program support;
- 14 (C) Operations, including non-instructional pupil
15 services, facilities, and business services;
- 16 (D) Other commitments, including contingencies,
17 capital improvement projects, out-of-district
18 obligations, and legal obligations; and
- 19 (E) Leadership, including school management, program
20 and operations management, and district
21 management; and



1 (2) The measures of accuracy, efficiency, and productivity
2 of the department, districts, and schools in
3 delivering resources to the classroom and the student.

4 [~~(e)~~] (c) The superintendent of education is responsible
5 for the development and implementation of an educational
6 accountability system. The system shall include consequences
7 and shall be designed through a collaborative process involving
8 stakeholders that shall include parents, community members, the
9 respective exclusive representatives, as well as others deemed
10 appropriate by the superintendent.

11 For the purposes of this section, negotiations under
12 chapter 89 shall be between the superintendent or the
13 superintendent's designee and the respective exclusive
14 representative, and shall be limited to the impact on personnel
15 arising from the superintendent's decision in implementing the
16 educational accountability system. After the initial agreement
17 is negotiated, provisions on the impact of the accountability on
18 personnel may be reopened only upon mutual agreement of the
19 parties."

20 SECTION 10. Section 302A-1124, Hawaii Revised Statutes, is
21 amended by amending subsection (e) to read as follows:



1 "(e) Unless otherwise specified, each school community
2 council shall establish policies governing the council's
3 composition, election, staggered terms of office for members,
4 operation, and vacancies; provided that:

5 (1) The number of school personnel [+]on[+] any school
6 community council shall be equal to the number of
7 primary stakeholders on the school community council;

8 (2) At the elementary and middle school levels, each
9 school community council shall be composed of the
10 principal and at least one member representing each of
11 the following groups:

12 (A) Parents elected by ballots distributed among and
13 collected from the parents of the school's
14 students;

15 (B) Teachers elected by ballots distributed among and
16 collected from teachers of the school;

17 (C) Noncertificated school personnel elected by
18 ballots distributed among and collected from
19 noncertificated personnel of the school; and

20 (D) Community representatives elected by ballots
21 distributed among and collected from parents of
22 the school's students; [~~and~~



1 ~~(E) Student representatives selected by the student~~
2 ~~council of the school; and]~~

3 (3) At the elementary and middle school levels, each
4 school community council may allow for student
5 representatives selected by the student council of the
6 school;

7 ~~(3)]~~ (4) At the high school level, each school community
8 council shall be composed of the principal and at
9 least one member representing each of the following
10 groups:

11 (A) Parents elected by ballots distributed among and
12 collected from parents of the school's students;

13 (B) Teachers elected by ballots distributed among and
14 collected from teachers of the school;

15 (C) Noncertificated school personnel elected by
16 ballots distributed among and collected from
17 noncertificated personnel of the school;

18 (D) Community representatives elected by ballots
19 distributed among and collected from the parents
20 of the school's students; and

21 (E) Student representatives selected by the student
22 council of the school.



1 For the purposes of this subsection, "primary stakeholders"
2 means students, parents, and community members."

3 SECTION 11. Section 302A-1301, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§302A-1301 School system financial accountability.** (a)
6 Beginning with the 1995-1997 fiscal biennium, the department's
7 administrative expenditures shall not exceed 6.5 per cent of the
8 total department operating budget, excluding expenditures for
9 agencies administratively attached to the department, unless
10 approved by the legislature.

11 (b) Not less than seventy per cent of appropriations for
12 the total budget of the department, excluding debt service and
13 capital improvement programs [7] and appropriations for agencies
14 administratively attached to the department, shall be expended
15 by principals."

16 SECTION 12. Section 302A-1312, Hawaii Revised Statutes, is
17 amended to read as follows:

18 **"§302A-1312 Six-year program and financial plan for school**
19 **repair and maintenance.** [~~a~~] The department of education
20 shall prepare a six-year program and financial plan for school
21 repair and maintenance that shall be:

22 (1) Based on:



1 (A) Estimated preventive and scheduled maintenance
2 costs;

3 (B) Budgeted recurring maintenance;

4 (C) Health and safety requirements; and

5 (D) Legal mandates;

6 (2) Insofar as is practical, prepared in accordance with
7 the principles and procedures contained in section
8 514A-83.6 or 514B-148; and

9 (3) Submitted initially to the legislature not less than
10 thirty days prior to the convening of the 2002 regular
11 session, with annual funding requirements for the
12 physical plant operations and maintenance account
13 submitted not less than thirty days prior to the
14 convening of the 2002 regular session and each regular
15 session thereafter;

16 provided that the governor may incorporate the six-year program
17 and financial plan required by this subsection into the six-year
18 program and financial plan required by section 37-69, if the
19 plan required by this subsection is incorporated without
20 reductions or restrictions.

21 ~~[(b) The department of education shall develop and~~
22 ~~maintain a facilities physical analysis report and a facilities~~



1 ~~financial analysis report for each public school. These reports~~
2 ~~shall be posted electronically on the Internet.~~

3 ~~(c) For the purposes of this section, the superintendent~~
4 ~~of education shall develop and implement appropriate planning~~
5 ~~procedures and follow up accountability reports to ensure sound~~
6 ~~planning, control, and accountability in the use of moneys~~
7 ~~allocated by the legislature. The department of education shall~~
8 ~~submit an annual report to the legislature that shall include:~~

9 ~~(1) List of projects initiated by the department of~~
10 ~~education; and~~

11 ~~(2) List of projects completed with associated actual~~
12 ~~cost.] "~~

13 SECTION 13. Section 302A-1504.5, Hawaii Revised Statutes,
14 is amended by amending subsection (a) to read as follows:

15 "(a) There is established within the state treasury a
16 special fund to be known as the school-level minor repairs and
17 maintenance special fund, into which shall be deposited all
18 moneys collected pursuant to section 235-102.5(b), and any other
19 moneys received by the department in the form of grants and
20 donations for school-level minor repairs and maintenance. The
21 special fund shall be administered by the department and used to
22 fund school-level minor repairs and maintenance. The department



1 shall transfer moneys collected pursuant to section 235-
2 102.5(b), and any other moneys received in the form of grants
3 and donations for school-level minor repairs and maintenance, to
4 the Hawaii 3R's school repair and maintenance fund established
5 pursuant to section 302A-1502.4."

6 SECTION 14. Section 302A-605, Hawaii Revised Statutes, is
7 repealed.

8 [~~"§302A-605 Principals and vice-principals. (a)~~
9 ~~Principals shall meet the department's certification~~
10 ~~requirements and shall have at least five years of appropriate~~
11 ~~school-level experience, including at least three years as a~~
12 ~~teacher, or equivalent experience, as determined by the~~
13 ~~department.~~

14 ~~(b) Vice principals shall meet the department's~~
15 ~~certification requirements and shall have appropriate school-~~
16 ~~level or equivalent experience, as determined by the department.~~

17 ~~(c) The department shall establish alternative routes to~~
18 ~~certification for principals and vice principals pursuant to~~
19 ~~rules adopted under chapter 91.~~

20 ~~(d) For purposes of this section, "alternative routes to~~
21 ~~certification" has the same meaning as determined by United~~
22 ~~States Department of Education regulations for state~~



1 ~~applications for Race to the Top fund allocations under section~~
2 ~~14001 of the federal American Recovery and Reinvestment Act of~~
3 ~~2009, as amended."]~~

4 SECTION 15. Section 302A-1001, Hawaii Revised Statutes, is
5 repealed.

6 ~~["~~§302A-1001~~ **Student bias.** No person in the State, on~~
7 ~~the basis of sex, shall be excluded from participation in, be~~
8 ~~denied the benefits of, or be subjected to discrimination under~~
9 ~~any educational or recreational program or activity receiving~~
10 ~~state or county financial assistance or utilizing state or~~
11 ~~county facilities."]~~

12 SECTION 16. Section 302A-1103, Hawaii Revised Statutes, is
13 repealed.

14 ~~["~~§302A-1103~~ **Principal; authority and responsibility.** The~~
15 ~~role of the principal shall include but not be limited to~~
16 ~~overseeing the day to day management of the school, the primary~~
17 ~~function of which is to develop and deliver instructional~~
18 ~~services to students in accordance with statewide educational~~
19 ~~policy and to enable students to meet or exceed statewide~~
20 ~~academic standards. The principal shall:~~



- 1 ~~(1) Ensure that the curriculum facilitates the achievement~~
2 ~~of the statewide student performance standards adopted~~
3 ~~for the public school system;~~
- 4 ~~(2) Develop and present to the school community council~~
5 ~~for its review and approval, academic and financial~~
6 ~~plans relating to the school;~~
- 7 ~~(3) Exercise authority over the implementation of the~~
8 ~~budget, policies, and operations of the school; and~~
- 9 ~~(4) Collaborate with other principals in the principal's~~
10 ~~school complex to ensure that:~~
 - 11 ~~(A) Logical, sequential curricula are adopted within~~
12 ~~the school complex;~~
 - 13 ~~(B) Best practices are shared among and implemented~~
14 ~~by schools within the school complex;~~
 - 15 ~~(C) The goals and objectives of the school complex~~
16 ~~are being met;~~
 - 17 ~~(D) The use of school complex based personnel and~~
18 ~~contractors who divide their time between more~~
19 ~~than one school in a school complex is~~
20 ~~coordinated to maximize efficiency; and~~





1 ~~(E) The passage of students through the continuum of~~
2 ~~grades is coordinated in a manner consistent with~~
3 ~~section 302A-1004."]~~

4 SECTION 17. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 18. This Act shall take effect upon its approval;
7 provided that the amendment made to section 36-27, Hawaii
8 Revised Statutes, by section 2 of this Act shall not be repealed
9 when section 36-27, Hawaii Revised Statutes, is reenacted
10 pursuant to section 34 of Act 79, Session Laws of Hawaii 2009.

11

INTRODUCED BY: _____



S.B. NO. 49

Report Title:

Education; Housekeeping

Description:

Amends or repeals various provisions of Chapter 302A, Hawaii Revised Statutes, for housekeeping and other purposes.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

