

DONALD G. HORNER  
999 Bishop Street, 29<sup>th</sup> Floor  
Honolulu, HI 96813  
dhorner@fhb.com

LATE TESTIMONY

January 28, 2013

LATE

The Honorable Jill N. Tokuda, Chairman  
The Honorable Michelle N. Kidani, Vice Chairman  
and Members of the Senate Committee on Education  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

SUBJECT: SB 237 – RELATING TO PUBLIC SCHOOL LANDS

Dear Chair and Committee Members:

My name is Don Horner. I serve as chair of the Board of Education. Our board has not had an opportunity to meet to discuss the proposed legislation, therefore, I am testifying as a private citizen.

In 2004, this legislature passed a comprehensive education bill called Act 51 which was optimistically called "Reinventing Education."

I had the privilege to serve as vice chair of the implementation task force. The basic premise of Act 51 was that policy makers should set overall student achievement standards and hold the educators accountable for specific student achievement goals.

Under Act 51, student achievement was mostly defined as the responsibility of the principal and the Complex Area Superintendents.

The Act provided school level increased accountability and autonomy and also provided schools with more resource focus: principal training, weighted student formula monies, financial planning tools, new student database, a new business manager position in all the complexes, and the support of a new School Community Council that had specific advisory functions.

Additionally, the DOE and the BOE have seen significant changes both administratively and functionally to be more responsive and focused on student achievement.

Under Act 51, the Department of Education was given not only added accountability, but also increased "authority." For example, the DOE assumed responsibility from the Department of Human Resources Development for the personnel management functions of the 6,000 DOE civil service employees.

The Department assumed the responsibility for the construction, repair, and major maintenance of school facilities from the Department of Accounting and General Services.

Resources that were allocated to schools by numerous program managers in the state office now go directly to the schools via the weighted student formula, which offers better transparency and more accountability.

D. Horner  
Page 2  
January 28, 2013

Over the last 24 months every major DOE department head, all BOE members, and over 40 percent of the Complex Area Superintendents have been replaced.

My point is, Act 51 is indeed "reinventing education" and more importantly, we have seen a steady and important improvement in student achievement. More needs to be done, but we have come a long way.

However, an important challenge that was not addressed under Act 51 was school facilities. Our average school facility is 50+ years old and therefore, requires ongoing costly maintenance and is energy and design inefficient. Additionally, we typically have an oversupply of classrooms in the urban core and are classroom deficient in our nonurban core communities and neighbor islands, due to demographic population shifts.

Our facility challenges have been further compounded over the years by a proliferation of central administrative functions spread throughout our school properties with little regard to a strategic vision or operational efficiencies.

I testify in favor of the intent of SB237 to consider the leasing of underutilized DOE lands to establish a fund to address needed infrastructure school improvements.

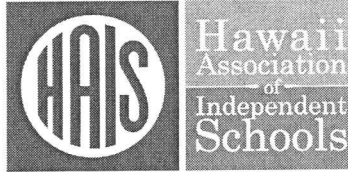
The DOE in accordance with the new BOE/DOE strategic plan is in the process of inventorying our real estate assets and beginning to develop a strategy in regards to the centralization of our administrative support offices. The anticipated result is the potential availability of more real estate availability especially in the Honolulu urban core.

Thank you for the opportunity to testify and your strong and effective support of public education.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald G. Horner", with a long horizontal flourish extending to the right.

Donald G. Horner



LATE

January 28, 2013  
1:15 p.m.  
Conference Room 414

TESTIMONY TO  
THE SENATE COMMITTEE ON EDUCATION

RE: SB 237 – Relating to Business Registration

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

My name is Robert Witt and I am the executive director of the Hawaii Association of Independent Schools (HAIS), which represents 99 private and independent schools in Hawaii and educates over 33,000 students statewide.

**HAIS supports Senate Bill 237** which would establish a three-year pilot program within the Office of the Lieutenant Governor to allow for the limited lease of public school lands and facilities under the authority of the Department of Education as a means to generate revenue urgently needed for the school facilities special fund.

HAIS supports the ongoing efforts, since 2009, of the Hawaii Institute for Public Affairs (HIPA) with its 21<sup>st</sup> Century School Initiative, a research and community-based effort to develop an innovative, systemic, and practicable approach to upgrade and construct 21<sup>st</sup> Century Schools statewide.

We agree with HIPA that a pilot project for this initiative is essential, along with opportunities to provide communities to participate in building awareness for and support for the creation of new learning environments. This initiative supports newly emerging views on how teaching and learning will best occur in the years ahead. As such, given that SB 237 is aligned with these interests, our association will be pleased to participate in the dialogue concerning such new initiatives during this Legislative Session.

Thank you for the opportunity to testify on this matter.

Erin Conner

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, January 28, 2013 10:53 AM  
**To:** EDU Testimony  
**Cc:** mlorin@thelearningcoalition.org  
**Subject:** \*Submitted testimony for SB237 on Jan 28, 2013 13:15PM\*

**SB237**

Submitted on: 1/28/2013

Testimony for EDU on Jan 28, 2013 13:15PM in Conference Room 414

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
matt lorin	the learning coalition	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**Erin Conner**

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, January 28, 2013 11:47 AM  
**To:** EDU Testimony  
**Cc:** contact@berger-reeves.com  
**Subject:** \*Submitted testimony for SB237 on Jan 28, 2013 13:15PM\*

**SB237**

Submitted on: 1/28/2013

Testimony for EDU on Jan 28, 2013 13:15PM in Conference Room 414

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Deborah Berger	Individual	Support	No

## Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [EDU Testimony](#)  
**Cc:** [shannonkona@gmail.com](mailto:shannonkona@gmail.com)  
**Subject:** Submitted testimony for SB237 on Jan 28, 2013 13:15PM  
**Date:** Monday, January 28, 2013 12:48:18 PM

---

SB237

Submitted on: 1/28/2013

Testimony for EDU on Jan 28, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Oppose	No

Comments: Re: SB237 Will workforce housing on school properties screen applicants against sexual offenders list?

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [EDU Testimony](#)  
**Cc:** [Maceyj001@hawaii.rr.com](mailto:Maceyj001@hawaii.rr.com)  
**Subject:** Submitted testimony for SB237 on Jan 28, 2013 13:15PM  
**Date:** Monday, January 28, 2013 1:02:03 PM

---

SB237

Submitted on: 1/28/2013

Testimony for EDU on Jan 28, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
James Macey	Individual	Oppose	No

Comments: I strongly oppose this bill. Our schools are not money making enterprises for criminals.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [EDU Testimony](#)  
**Cc:** [ChoonJamesHawaii@gmail.com](mailto:ChoonJamesHawaii@gmail.com)  
**Subject:** Submitted testimony for SB237 on Jan 28, 2013 13:15PM  
**Date:** Monday, January 28, 2013 1:09:51 PM

---

SB237

Submitted on: 1/28/2013

Testimony for EDU on Jan 28, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Choon James	Individual	Oppose	No

Comments: NO to SB 237 Explore other options!

<http://hawaiiindependent.net/story/allow-hawaiis-keiki-the-joy-of-open-space-and-field-playgrounds> Allow Hawaii's keiki the joy of open space and field playgrounds. Governor Abercrombie & State legislators: Allow Hawaii's keiki the joy of open space and field playgrounds. Studies have shown correlation between crowded space and aggression. Senator Donovan Dela Cruz's recent posturing that "we need new ways of generating revenues to support needed programs without raising taxes" by developing on school grounds for revenue is shibai. He has a bad record of appeasing corporations and shutting out the public due process. Furthermore, the government will never have enough revenue when it perennially shows no discipline in its fiscal management of the public treasury. After the government gives away Hawaii's inheritances, what is there left? Fabricating PLDC to "raise revenues to finance Hawaii's schools" is as convincing as its attempt not the raid the Hurricane Relief Fund. For certain developers, leaving the open space in Hawaii public schools alone must be a hard pill to swallow. But the public must insist on a line of demarcation with developers "optimizing" public lands. They can covet elsewhere, like Kenya or Mombasa. There are lots of construction projects needed over there. As Hawaii's population increases, it's imperative for schools to hold on to their playgrounds and land acreages as part of prudent planning. Most public schools were built to last for a very long time, with systematic maintenance and imaginative upgrades. Old buildings can be wired for modern connections or renovations without demolishing the entire building. Don't deprive the children of their turkey trots, big field activities, and off-hours ball games. We can't continue with our bi-polar behavior of worrying about youth obesity on one hand and taking away their field playground on the other. Protect the space for further project garden or loi or whatever projects to be imagined in the future. School grounds are often used for other community needs, including emergency centers. Don't stack classrooms into vertical buildings just so developers can "optimize" every inch of the school grounds. Don't cement green buffer zones from the school children. Why force eye-ball to eye-ball crowding in learning and living situations? Building high density hotels or apartments next to schools will inevitably create more noise, urban pressures, and stresses all around. (I was in the city of Guangzhou several years ago and stayed in a 4-star hotel next to a



vertical school. it turned out to be a very noisy and crowded situation. I had a very clear view of some classrooms. It was a good thing I was no psycho nor had any inclination to test my shooting skills.) Jefferson Elementary School at 324 Kapahulu Avenue, Honolulu, HI 96815 has been mentioned by the Governor as a PLDC possibility. Jefferson is undoubtedly a prime location to a developer; but don't deny the children their little oasis in Honolulu's concrete jungle. Let them enjoy the Diamond Head views instead of concrete buildings. Let them enjoy the breezes and sunshine in their school environment. Allow Hawaii's keiki the joy of open space and field playgrounds in their schools. Don't steal from Hawaii's keiki. Developers, go lobby someplace else. Hands off Hawaii's public school grounds! Choon James ChoonJamesHawaii@gmail.com

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [EDU Testimony](#)  
**Cc:** [nimo1767@gmail.com](mailto:nimo1767@gmail.com)  
**Subject:** Submitted testimony for SB237 on Jan 28, 2013 13:15PM  
**Date:** Monday, January 28, 2013 1:13:47 PM

---

**SB237**

Submitted on: 1/28/2013

Testimony for EDU on Jan 28, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Petricci	Puna Pono Alliance	Oppose	No

Comments: Aloha I am submitting testimony in opposition to SB 237 Puna Pono Alliance opposes this and views it in the same vein as we see act 55 and the PLDC. We do not want to see things such as 7-11's or other commercial activities on our Public school lands. We see this as a slippery slope that is putting the financial and economic concerns of the state over the need for a balanced education. Corporations already influence or children and policies to the point of creating an environment that is geared to there bottom lines as to opposed what is in the best interest of our children's future. We believe SB 237 will further erode the need for separation of our children and corporate influence on education. Thank you. Robert Petricci

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [EDU Testimony](#)  
**Cc:** [farmfreshhawaii@gmail.com](mailto:farmfreshhawaii@gmail.com)  
**Subject:** Submitted testimony for SB237 on Jan 30, 2013 13:20PM  
**Date:** Wednesday, January 30, 2013 1:15:17 PM

---

SB237

Submitted on: 1/30/2013

Testimony for EDU on Jan 30, 2013 13:20PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Juanita Kawamoto	Individual	Oppose	Yes

Comments: Aloha mai kakou Senate Chair Jill Tokuda of EDN and other esteemed members, I oppose this legislation as it is preemptive of the current legislation regarding the PLDC and may impact the efforts to Repeal the PLDC. I would like to see an inclusive effort between the State and the community and I do not believe this SB 237 will accomplish this purpose. Mahalo for the opportunity to testify. Juanita Kawamoto Native Hawaiian Citizen Advocate

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)