
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding three new sections to subpart B of part II to
3 be appropriately designated and to read as follows:

4 "§302A- Student-teacher ratios; established. (a)
5 Notwithstanding any collective bargaining agreement, each public
6 school shall maintain a student-to-teacher ratio between
7 thirteen to seventeen students per teacher for every grade level
8 from kindergarten to the eighth grade.

9 (b) The student-to-teacher ratios of each public school
10 shall be posted on the website of the department.

11 §302A- Classroom composition; heterogeneity. The
12 department shall provide a statewide flexible system of
13 educational placement and programs within the public school
14 system that the department determines is necessary to achieve
15 heterogeneity with regard to scholastic aptitude in the
16 composition of each class in a public school.



1 §302A- Textbooks; instruction. The department shall
2 not use any textbook for classroom instruction that was
3 published more than two years prior to the school year."

4 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
5 amended by adding three new sections to subpart C of part II to
6 be appropriately designated and to read as follows:

7 "§302A- AVID; expansion. (a) The department shall
8 implement the Advancement via Individual Determination (AVID)
9 program in all grade levels of the public schools to enable
10 students in the lower eighty percentile academically to achieve
11 international competitiveness.

12 (b) The AVID program shall:

13 (1) Identify challenge areas for each student;

14 (2) Assist and mentor each student in overcoming those
15 challenges;

16 (3) Follow up with each student on the student's
17 assignments to ensure their completion; and

18 (4) Assist each student, through direct tutorial
19 assistance or otherwise, in subject matter areas for
20 which the student falls below a proficiency rating of
21 eighty per cent.



1 (c) Except for students who rank in the academic top
2 twenty per cent of each class, every student in a public school
3 shall attend one classroom period per day devoted to the AVID
4 program.

5 §302A- Internet access. The department shall provide
6 high-speed Internet access in each classroom to supplement
7 curriculum and instruction.

8 §302A- Community involvement. Each public school shall
9 seek community involvement to increase student performance
10 outcomes."

11 SECTION 3. Chapter 302A, Hawaii Revised Statutes, is
12 amended by adding two new sections to subpart B of part IV to be
13 appropriately designated and to read as follows:

14 "§302A- Department website; mandatory information. (a)
15 The department shall maintain on its public website the
16 following information on each public school:

17 (1) The nature of community involvement at each public
18 school;

19 (2) The allocation of federal and state funds at each
20 public school;



- 1 (3) A description or organizational chart of the
2 administrative structure of each public school within
3 the department of education;
- 4 (4) An explanation of the test results of any public
5 school or any other information about that school that
6 appears on the department's website, when requested by
7 the principal of another public school;
- 8 (5) The student-to-teacher ratios of each public school
9 shall be posted on the website of the department;
- 10 (6) Aggregated students' test results in reading, writing,
11 mathematics, and science for each public school;
- 12 (7) The school's approach to achieving international
13 competitiveness; and
- 14 (8) The department's evaluation of each public school with
15 regard to that public school's success rate in
16 achieving international competitiveness including any
17 obstacles; provided that a public school's success
18 rate shall be deemed to be the rate of change of
19 student performance with regard to achieving
20 international competitiveness.
- 21 (b) The department shall also maintain on its public
22 website at least the following on the public school system:



- 1 (1) Teacher support practices by school districts,
2 including teacher development, teacher assessment,
3 teacher training, teaching models, instructional
4 materials, and other tools and techniques to assist
5 teachers at improving student performance outcomes;
6 (2) A brief but adequate description from the department
7 administration of curriculum frameworks based upon the
8 most up-to-date techniques on how students learn; and
9 (3) Teacher-parent communication activities and crucial
10 support services from governmental and non-
11 governmental entities.

12 §302A- External assistance. The department shall
13 assign accredited external assistance, as determined by the
14 department, to any public school that does not show improvement
15 in two consecutive years at increasing student performance
16 outcomes in international competitiveness."

17 SECTION 4. Section 302A-101, Hawaii Revised Statutes, is
18 amended by adding a new definition to be appropriately inserted
19 and to read as follows:

20 "International competitiveness" means that seventy-five
21 per cent of students in the public schools perform on par on
22 standardized examinations with students in the ten countries

1 with the highest scores in reading, writing, mathematics, and
2 science."

3 SECTION 5. Section 302A-201, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§302A-201 Statewide performance standards.** (a) The
6 board shall establish statewide performance standards and the
7 means to assess the standards based upon the recommendations in
8 the final report of the performance standards commission
9 established pursuant to Act 334, Session Laws of Hawaii 1991;
10 provided that the board may review and modify the performance
11 standards, as the board deems necessary, to reflect the needs of
12 public school students and educational goals adopted by the
13 board.

14 (b) The board shall expand statewide performance standards
15 to enable students to achieve international competitiveness
16 under a schedule of progress to be determined by the board;
17 provided that students in the public schools shall achieve
18 international competitiveness within seven years of the
19 effective date of this Act; and provided further that no well-
20 defined group of students in the public schools, as determined
21 by the board, shall perform at levels below one standard
22 deviation of mean of all students.



1 (c) Every public school shall administer tests in an
2 electronic format for the core courses of reading, writing,
3 mathematics, and science to track student progress towards
4 achieving international competitiveness."

5 SECTION 6. Section 302A-609, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "[+]§302A-609[+] Causes for discharge or demotion;
8 preferred eligibility list. Causes for the discharge or
9 demotion of a teacher shall be inefficiency or immorality;
10 wilful violations of policies and rules of the department;
11 failure to improve the performance outcomes of the teacher's
12 students for either two consecutive years by a teacher with more
13 than one year of experience or for three consecutive years by a
14 teacher with not more than one year of experience; or for other
15 good and just cause. The department, without a hearing, may
16 terminate the tenure rights of a teacher who fails to return to
17 service, except when caused by illness, following the expiration
18 of an approved leave of absence. Teachers may also be dismissed
19 because of a decrease in the number of pupils or for other
20 causes over which the department has no control. Dismissals due
21 to a decrease in the number of pupils or for causes over which
22 the department has no control shall begin with those teachers



1 with the least number of years of service. The teachers so
2 dismissed shall be placed on a preferred eligibility list and
3 shall have the right to be restored to duty in the order of
4 length of service whenever vacancies occur in which the teacher
5 is qualified."

6 SECTION 7. Section 302A-624, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) The salary schedule for all teachers of the
9 department shall be negotiated pursuant to section 89-9[-];
10 provided that the starting salaries of teachers shall be based
11 upon levels of educational attainment; and provided further that
12 the starting salaries of teachers at schools whose students do
13 not meet statewide performance standards may be set at a higher
14 level than the starting salaries of teachers at schools whose
15 students meet statewide performance standards."

16 SECTION 8. Section 302A-638, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "[+]§302A-638[+] Evaluation of teachers and educational
19 officers. The department shall establish an evaluation program
20 for all teachers and educational officers. The evaluation shall
21 be performed at least once in each school year[-] for
22 educational officers and at least once in each quarter of a



1 school year for teachers. The program shall define the criteria
2 for evaluation and assign responsibilities for the application
3 of the criteria. The evaluation of a teacher or educational
4 officer shall be on the basis of efficiency, ability, and such
5 other criteria as the department shall determine. No evaluation
6 of a teacher shall be based solely upon student performance and
7 student progress in achieving international competitiveness, as
8 determined by the department."

9 SECTION 9. Section 302A-1128, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§302A-1128 Department powers and duties.** The department
12 shall have entire charge and control and be responsible for the
13 conduct of all affairs pertaining to public instruction in the
14 public schools the department establishes and operates,
15 including operating and maintaining the capital improvement and
16 repair and maintenance programs for department and school
17 facilities[-], and conducting unannounced, random site visits at
18 each public school to inspect the school's financial
19 administration and operations. The department may establish and
20 maintain schools for secular instruction at such places and for
21 such terms as in its discretion it may deem advisable and the
22 funds at its disposal may permit. The schools may include high



1 schools, kindergarten schools, schools or classes for early
2 education, boarding schools, Hawaiian language medium education
3 schools, and evening and day schools. The department may also
4 maintain classes for technical and other instruction in any
5 school where there may not be pupils sufficient in number to
6 justify the establishment of separate schools for these
7 purposes."

8 SECTION 10. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so
10 much thereof as may be necessary for fiscal year 2013-2014 and
11 the same sum or so much thereof as may be necessary for fiscal
12 year 2014-2015 for additional funding for each public school to
13 increase community involvement.

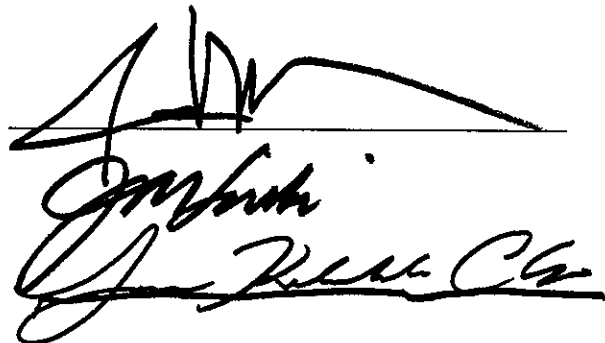
14 The sums appropriated shall be expended by the department
15 of education for the purposes of this Act.

16 SECTION 11. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 12. This Act shall take effect on July 1, 2015,
19 and shall apply beginning with the 2015-2016 school year.

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INTRODUCED BY:

The image shows three handwritten signatures in black ink. The top signature is the most prominent, followed by a second signature below it, and a third signature at the bottom. The signatures are written over a horizontal line.

H.B. NO. **1453**

Ray P. Anderson

Dr
Cindy Evans

JAN 24 2013



H.B. NO. 1453

Report Title:

Education; Reform; Appropriation

Description:

Reforms the public education system by among other things, establishing student-teacher ratios and heterogenous classroom composition, incorporating the AVID system, requiring internet access, community involvement, and external assistance, requiring specified data on the department website, expanding statewide performance standards to enable students to achieve international competitiveness, requiring specified tests in electronic format, setting teacher salaries commensurate with educational attainment, and authorizing the discharge of teachers who fail to improve performance outcomes. Appropriates funds.

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

