

JAN 19 2018

A BILL FOR AN ACT

RELATING TO THE BOARD OF EDUCATION.

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

1 SECTION 1. The legislature finds that the board of
2 education consists of nine members, none of whom are required to
3 be public school teachers.

4 The legislature further finds that the board will benefit
5 from the appointment of a current public school teacher, as a
6 non-voting member, to provide first-hand experience and
7 expertise on the educational climate in Hawaii's public schools
8 and explain the resources teachers need to help Hawaii's
9 students. An appointed public school teacher on the board will
10 provide insight into current and proposed educational practices
11 and policies and the effects of those practices and policies on
12 teachers, students, and the community.

13 The purpose of this Act is to amend the board of
14 education's membership by inviting the exclusive representative
15 for bargaining unit (5) to appoint a nonvoting public school
16 teacher representative to the board.



1 SECTION 2. Section 302A-121, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§302A-121[+] Board of education; members; student
4 [~~and~~], military, and teacher representatives. (a) The board
5 shall consist of nine voting members as follows:

- 6 (1) One member from the county of Hawaii;
7 (2) One member from the county of Maui;
8 (3) One member from the county of Kauai;
9 (4) Three members from the city and county of Honolulu;
10 and
11 (5) Three at-large members; provided that the governor
12 shall select an at-large member as the chairperson.

13 The members shall be appointed by the governor, with the advice
14 and consent of the senate. The governor may remove or suspend
15 for cause any member of the board.

16 (b) Pursuant to article XVIII, section 12, of the Hawaii
17 State Constitution, the period of transition from the elected to
18 the appointed board shall be as determined in section 21 of Act
19 5, Session Laws of Hawaii 2011.

20 (c) The members of the board shall serve without pay but
21 shall be entitled to reimbursement for necessary expenses,



1 including travel and board and lodging expenses, while attending
2 meetings of the board or when actually engaged in business
3 relating to the work of the board.

4 (d) Pursuant to section 302A-447, the state student
5 council shall select a nonvoting public high school student
6 representative to the board.

7 (e) Pursuant to section 302A-1101(c), the board shall
8 invite the senior military commander in Hawaii to appoint a
9 nonvoting military representative to the board.

10 (f) The board shall invite the exclusive representative
11 for bargaining unit (5) to appoint a nonvoting public school
12 teacher representative to the board."

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

16

INTRODUCED BY:

Michelle D. Leland

Eraine G. Inoué

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S.B. NO. 2380

Report Title:

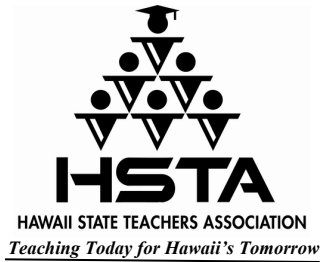
Board of Education; Membership; Public School Teacher
Representative

Description:

Amends the Board of Education membership by inviting the exclusive representative for bargaining unit 5 (teachers and other personnel of the Department of Education) to appoint a nonvoting public school teacher representative to the Board.

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





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TESTIMONY BEFORE THE HOUSE COMMITTEE ON
EDUCATION

RE: SB 2380 - RELATING TO THE BOARD OF EDUCATION

WEDNESDAY, MARCH 21, 2018

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Woodson and Members of the Committee:

The Hawaii State Teachers Association **strongly supports SB 2380**, relating to the Board of Education.

Teacher voice matters. Too often, educational governance decisions are made without the input of the Hawai'i's hardworking teachers, who are responsible for crafting our children's future. Yet, teachers are expected to carry out these decisions, each day, without fail and without being paid the professional salaries earned by their mainland peers.

Already, the BOE has nonvoting members representing our military and student communities—currently, Col. Peter Santa Ana and Kealakehe High School senior Maya Gee, respectively—who provide valuable insight into the experience of their constituencies with the public school system. Teachers, too, should be heard on matters ranging from curriculum development to testing to school funding. While the board does occasionally discuss collective bargaining and disciplinary matters, a *nonvoting* teacher member would not be subject to these discussions and could recuse themselves, or be asked to do so, whenever appropriate.

Policymakers often talk about improving learning conditions at the “classroom level.” No one is better equipped to discuss those conditions than the teachers who are tasked with managing our keiki's classroom experience. To empower teacher voice in educational leadership, the Hawaii State Teachers Association asks your committee to **support** this bill.



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COMMITTEE ON EDUCATION

Wednesday, March 21, 2018, 2:30 pm, Conference Room 309
SB 2380 (SSCR2825), RELATING TO THE BOARD OF EDUCATION

TESTIMONY

Janet Mason, Legislative Committee, League of Women Voters of Hawaii

Chair Woodson, Vice-Chair Satoru Kong and Committee Members:

The League of Women Voters of Hawaii strongly opposes SB 2380 (SSCR2825) that would amend the Board of Education membership by inviting the exclusive representative for bargaining unit 5 (teachers and other personnel of the Department of Education) to appoint a nonvoting public-school teacher representative to the Board.

This measure would create an inherent conflict of interest between the Board of Education and the HSTA representative, since the Board oversees labor negotiations with Bargaining Unit 5. Unfortunately, this conflict would exist even if the bargaining unit member were a nonvoting (but perhaps influential) member.

Another potential conflict concerns setting teacher standards. The Hawaii Teachers Standards Board (HTSB) was formed through the enactment of HRS 302A-801 in 2001 to provide impartial advice to the Department of Education and the Board of Education for decision-making on the critically important process of creating high standards to produce top-drawer public-school teachers with the Department of Education. A bargaining unit appointee to the Board of Education should not take part in such standard-setting.

Further, we believe it would take an amendment to Article X, Section 2 of our Constitution to make the change proposed in this measure. The voters of Hawaii overwhelmingly passed a Constitutional amendment in 2010, allowing the Governor to appoint members of the Board of Education with the advice and consent of the senate. Why would voters now endorse having the HSTA appoint someone to the Board?

Thank you for the opportunity to submit testimony.

SB-2380

Submitted on: 3/19/2018 2:30:40 PM

Testimony for EDN on 3/21/2018 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

LATE

TESTIMONY



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TESTIMONY FOR SENATE BILL 2380, RELATING TO THE BOARD OF EDUCATION

**House Committee on Education
Hon. Justin H. Woodson, Chair
Hon. Sam Satoru Kong, Vice Chair**

**Wednesday, March 21, 2018, 2:30 PM
State Capitol, Conference Room 309**

Honorable Chair Kidani, Chair Tokuda, and committee members:

I am Kris Coffield, Executive Director of IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 400 members. On behalf of our members, we offer this testimony in strong support of Senate Bill 2380, relating to the Board of Education.

Empowered teachers are excellent educators. Yet, too often, teachers are omitted from educational policymaking. When teachers’ voices are silenced, the views of the hardworking educators charged with shaping our children’s minds and leading Hawai’i’s classrooms are absent from discussions about how policy decisions impact classroom learning.

Already, the Hawai’i State Board of Education hosts a military liaison and a student representative, both of whom are nonvoting members who wield considerable influence in board debates. They are critical thinkers, quick to question departmental initiatives that undermine student achievement and steadfast in their support of better schools. Likewise, teachers should have the opportunity to articulate their views on, for example, student assessment or school funding, since they are ultimately responsible for implementing the board’s decisions and know best what’s needed to strengthen their classroom experiences and inspire their children to succeed.

Mahalo for the opportunity to testify in support of this bill.