



LATE

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

Testimony of **Ford Fuchigami**
Administrative Director, Office of the Governor

Before the
House Committee on Lower & Higher Education
January 29, 2019
2:00 p.m., Conference Room 309

In consideration of
House Bill No. 621
RELATING TO EDUCATION

Chair Woodson, Vice Chair Hashem, Vice Chair Perruso and committee members.

Thank you for the opportunity to provide comments for **House Bill 621**.

My name is Ford Fuchigami and I am the Administrative Director for the Office of the Governor.

In November 2010, Hawaii voters decided to change from an elected Board of Education to a board appointed by the Governor, with advice and consent of the Senate. HB 621 now seeks to reverse that decision and return to elected Board of Education members. The Administration firmly believes that the Governor should continue to appoint the members of the Board of Education as this allows the Governor to carefully select members based on their diverse backgrounds and professional experiences who bring a variety of complementary skill sets in order to establish education policy, develop long-range plans, oversee the Department of Education, and give our keiki the best educational opportunities.

It should be noted that in most states, the state board of education members are appointed by governors. According to the National Association of State Boards of Education, governors in 26 states appoint all state board of education members while governors in 13 states appoint a portion of the state board members.

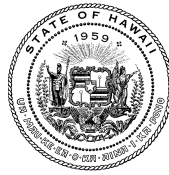
This bill also proposes to give the board members compensation for days when they attend board meetings, and for transportation and personal expenses. While the Administration appreciates the intent of the compensation, this will raise questions for other boards and commissions that do not compensate their members for meetings, transportation and personal expenses.



EXECUTIVE CHAMBERS
HONOLULU

We appreciate your attention and will be available to answer your questions, should you have any at this time.





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

House Committee on Lower and Higher Education

Tuesday, January 29, 2019
2:00 p.m.
Hawaii State Capitol, Room 309

**House Bill 620, Proposing an Amendment to the Hawaii Constitution to Require the
Election of Members of the Board of Education
and
House Bill 621, Relating to Education**

Dear Chair Woodson, Vice Chair Perruso, and Members of the Committee:

The Board of Education ("Board") would like to provide comments on HB 620, which would propose a constitutional amendment to change the Board to an elected board, and HB 621, which would implement an elected Board should the constitutional amendment pass.

The Board takes no position on this measure, as it relates to the Board's governance structure, and the Board believes it is most appropriate for the Legislature, Governor, and people to decide such matters.

The current Board consists of volunteer members of the community who are dedicated to public education and appointed by the Governor. It is important to note a provision in HB 621 (page 10, lines 15-16) would provide compensation to elected Board members, which is an understated additional proposed change in governance. The current Board opts to be entirely voluntary, as its members believe as many resources as possible should go toward supporting schools.

The Board, like the Legislature and all policymaking bodies, has to make some hard decisions. Each member of the Board believes public education is one of the most important services the State provides, and we want what is best for our students. We leave the important task of determining the best way to govern our public education system to you and the people.

Thank you for this opportunity to testify on behalf of the Board.

Very truly yours,

Catherine Payne
Chairperson, Board of Education
Chairperson, 2019 Legislative Ad Hoc Committee



**STATE OF HAWAII
OFFICE OF ELECTIONS**

802 LEHUA AVENUE
PEARL CITY, HAWAII 96782
elections.hawaii.gov

SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE HOUSE COMMITTEE ON LOWER & HIGHER EDUCATION
ON HOUSE BILL NO. 621
RELATING TO EDUCATION

January 29, 2019

Chair Woodson and members of the House Committee on Lower & Higher Education, thank you for the opportunity to provide comments on House Bill No. 621. The purpose of this bill is to implement an elected board of education.

We would propose amending Section 2(b) regarding the timeline of a vacancy. As written the bill allows a vacancy to occur not later than the 60th day prior to the next succeeding general election and candidate filing to close on the 50th day prior to the general election. However, the Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) requires ballots be mailed not later than 45th day prior to an election. 52 USC §20302 & HRS §15D-9.

As such, we would recommend that the vacancy occur not later than the 85th day prior to the next succeeding general election and candidate filing to close on the 75th day prior to the general election. This would coincide with the deadline to submit ballot questions pursuant to HRS §11-119. This ensures enough time to proof, print, and prepare the ballot, statewide, to meet the UOCAVA deadline.

Thank you for the opportunity to testify on House Bill 621.



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COMMITTEE ON LOWER & HIGHER EDUCATION

Tuesday, January 29, 2019, 2:00 pm, Conference Room 309
HB 621, RELATING TO THE BOARD OF EDUCATION

TESTIMONY

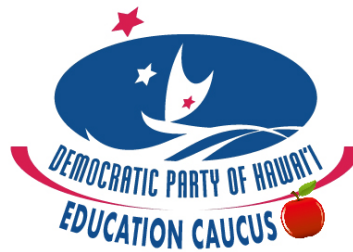
Janet Mason, Legislative Committee, League of Women Voters of Hawaii

Chair Woodson, Vice-Chair Hashem, Vice-Chair Perruso and Committee Members:

The League of Women Voters of Hawaii opposes HB 621 that would implement an elected board of education.

The League supports an elected board of education that represents the local interests of the islands and promotes equity and accountability. But HB 620, the proposed constitutional amendment corresponding with HB 621, should be a single-purpose proposal for such an elected board. It is not, so the implementation outlined in HB 621 are premature.

Thank you for the opportunity to submit testimony.



HOUSE BILL 621, RELATING TO EDUCATION

JANUARY 29, 2019 · HOUSE EDUCATION
COMMITTEE · CHAIR REP. JUSTIN WOODSON

POSITION: Support.

RATIONALE: The Democratic Party of Hawai'i Education Caucus supports HB 621, relating to education, which implements an elected Board of Education upon the ratification of a constitutional amendment allowing voters to elect BOE members.

Our keiki are our future. When our children succeed, our society becomes more equal and our economy more prosperous. Delivering the schools our keiki deserve, then, is a responsibility that must be shared by all of our state's citizens. Hawai'i voters regrettably abdicated that responsibility by voting for an appointed BOE in 2010, following recession-based furloughs that left our state with a four-day school week and our teachers struggling to get by.

We are no longer facing a fiscal crisis. Moreover, the idea that empowering the governor to appoint members of the BOE would create clear lines of accountability and increase student achievement has been proven false, as the appointed BOE has continued to pursue outdated policies, such as an overreliance on standardized tests to evaluate student learning and school success. Allowing the people of the islands to democratically elect board members, on the other hand, would ensure that all stakeholders—teachers, parents, and community members—can participate in education governance and hold the BOE accountable to the only interest that matters: the people's interest.

HB-621

Submitted on: 1/28/2019 4:58:18 AM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Debbie Anderson	member of the DPH Education Caucus	Support	No

Comments:

I believe that an elected representative State Board of Education (BOE) is equipped better to accomplish its Constitutional mission: to protect public funds and interests in the formation of statewide educational policy, appoint the Superintendent of Education, remain free from for-profit or sectarian control and promote community Hawaiian education programs.

Ninety-six percent of school districts in the nation have elected school boards. Our 1959 State Constitution had a governor appointed School Board. In 1964, an amendment passed to support an elected board. Twice after that, voters rejected amendments that would have returned the state to an appointed board. In Nov. 2, 2010 the amendment passed by 57.4 percent to replace the elected board of education with one appointed by the governor. Each of the nine communities deserves a representative voice to ensure their community issues are brought to the board. To democratize public education the community school movement challenge is to ensure that the people and communities vested in neighborhood public schools have a real voice in both planning and governance at district level as well as at the school level.



O`ahu County Committee on Legislative Priorities (OCCLP)

January 28, 2019

TO: Honorable Chair Woodson & LHE Committee Members

RE: HB 620 & 621 PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO REQUIRE THE ELECTION OF MEMBERS OF THE BOARD OF EDUCATION.

Support for hearing on Jan. 29

Aloha mai kakou:

The O`ahu County Committee on Legislative Priorities (OCCLP) of the Democratic Party of Hawai`i (DPH) hereby submits its testimony in **SUPPORT of HB 620 and HB 621 relating to Proposing an Amendment to the Hawai`i Constitution to Require the Election of Members of the Board of Education.**

OCCLP supports HB 620 & 621 to move back toward an elected Board of Education. While OCCLP recognizes that there were problems with the elected board, OCCLP does not believe the appointed board has resolved them. There have been difficulties in communicating with appointed board members. OCCLP misses a level of responsiveness of the Board to the public.

Thank you for your favorable consideration.

Mahalo nui loa

Me ka `oia`i`o

/s/ Melodie Aduja

Melodie Aduja

Chair, O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i

Ph. (808) 258-8889

Email: legislativepriorities@gmail.com

HB-621

Submitted on: 1/27/2019 11:51:37 PM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Honolulu County Republican Party	Support	No

Comments:

The Honolulu County Republican Party SUPPORT this bill.

HB-621

Submitted on: 1/28/2019 6:58:19 AM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
George Pace	Individual	Support	No

Comments:

HB-621

Submitted on: 1/28/2019 7:30:16 AM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Denise Kekuna	Individual	Support	No

Comments:

HB-621

Submitted on: 1/28/2019 10:56:50 AM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna P. Van Osdol	Individual	Support	No

Comments:

Dear Chair, Vice Chairs, and Members of the Committee:

I support HB 621 which calls for the implementation of an elected Board of Education.

Yours sincerely,

Donna P. Van Osdol

HB-621

Submitted on: 1/28/2019 1:27:45 PM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Individual	Support	No

Comments:

HB-621

Submitted on: 1/26/2019 10:32:29 PM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Phillip	Individual	Oppose	No

Comments:

LATE

HB-621

Submitted on: 1/28/2019 9:15:59 PM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
William Caron	Individual	Support	No

Comments:

LATE

HB-621

Submitted on: 1/28/2019 10:17:41 PM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph P. Picon	Individual	Support	No

Comments:

To the Committee receivng testimony in the hearing for this bill; my name is Joesph P. Picon a registered voter in Waipahu, 96797.

HB 621 RELATING TO EDUCATION. I SUPPORT this bill.

LATE

HB-621

Submitted on: 1/28/2019 10:46:19 PM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Montgomery	Individual	Support	No

Comments:

As a teacher in this community, I strongly support his bill.

LATE

HB-621

Submitted on: 1/29/2019 1:44:26 AM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Gonce	Individual	Support	No

Comments:

Strong Support. Return the decision of who serves on the BOE to the voters.

LATE

HB-621

Submitted on: 1/29/2019 11:00:52 AM

Testimony for LHE on 1/29/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen J. Escher	Individual	Support	No

Comments:

I support this bill.