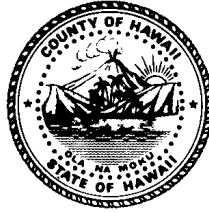


Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

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March 13, 2019

Representative Justin H. Woodson, Chair
Representative Mark J. Hashem, Vice Chair
Representative Amy A. Perruso, Vice Chair
Committee on Lower and Higher Education

Dear Chair Woodson, Vice Chairs Hashem and Perruso, and Committee Members:

RE: SB 171, SD2 Relating to Education (Transfer Public Schools from the State to the Counties)

An earlier generation of Hawai'i leaders recognized that all residents of the State deserve equal educational opportunities, regardless of where they live. This foresight created the only statewide school system in the United States, and although we have not lived up to the ideals and vision reflected in that principle, we should be forever striving to achieve that fundamental goal rather than undermining it.

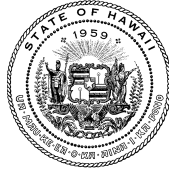
SB 171, SD2 would be a giant step in the wrong direction. The mainland offers forty-nine examples of how local control of education is fine for wealthy jurisdictions where property taxes can fund every bell and whistle that the rich can envision for their children, but reliance on local funding is disastrous for lower income areas. And why should it be so? A student living in a rural county already is disadvantaged, missing out on opportunities that "city kids" have at their fingertips. Why would the State want to compound that disadvantage by leaving the education of our children to the mercy of what each community can afford?

By all means, let's work to improve the education system for all our keiki. By no means should we base that improvement on ability to pay.

Please do not approve SB 171, SD2.

Respectfully Submitted,

Harry Kim
MAYOR



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

House Committee on Lower and Higher Education

Thursday, March 14, 2019
2:30 p.m.
Hawaii State Capitol, Room 309

Senate Bill 171, Senate Draft 2, Relating to Education

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

The Board of Education ("Board") would like to testify in **strong opposition** to SB 171 SD2, which would create a county education task force to establish a process for the transfer of jurisdiction over all public schools, including all state public education functions and funding, from the State to the county in which the public school is located.

The Board does not support proposed legislation that would prevent or hinder the Board or the Department of Education from addressing their Strategic Priorities for School Year 2018-2019 ("Strategic Priorities"). This measure fits the criterion, as it would result in a task force with a mission to break the statewide public school system—including the public school students, public education professionals, and public education resources—into several systems. It is unclear how this serves the interest of all students and the public.

SB 171 SD2 runs counter to the Strategic Priority of equity and access, which seeks to ensure that "the appropriate policies, structures, and resources are in place to guarantee the advancement of access and support structures that allow all students to engage in learning through the core curriculum design." A statewide system ensures equitable and fair resources across all schools, a feature of which Hawaii has long been proud. Splitting up the system into multiple school districts has the potential to erode equity for our schools and students, likely hurting our least affluent and most vulnerable populations the most, as demonstrated in so many other states across the nation.

This measure could also lead to greater inefficiencies and decreased economies of scale that we enjoy in our unitary statewide system, hampering progress in addressing the other Strategic Priorities. Divided resources and support could potentially make it more costly to address school facilities needs or design student-centered schools. Rather than focusing on addressing the teacher shortage issue holistically at the statewide level, multiple in-state districts might compete for each other's teachers.

These are just a few examples of the potential but significant impacts this measure could have on the public education system and our students. **Therefore, we urge the Committee not to pass this measure.**

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
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/14/2019
Time: 02:30 PM
Location: 309
Committee: House Lower & Higher
Education

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: SB 0171, SD2 RELATING TO EDUCATION.

Purpose of Bill: Creates a county education task force to establish a process for the transfer of jurisdiction over all public schools, including all state public education functions and funding, from the State to the county in which the public school is located. Requires report to legislature prior to the convening of the Regular Session of 2021. Effective 7/1/2050. (SD2)

Department's Position:

The Department of Education (Department) strongly opposes SB 171, SD2 which would create a county education task force to establish a process for the transfer of jurisdiction over all public schools.

This measure does not advance the Board of Education's or Department's Strategic Priorities. The Department focuses on providing a common foundation of expectations and supports for public education, centering on closing the achievement gap to ensure equity and excellence for each student. The Department believes this measure would adversely impact these efforts, could potentially increase inequity amongst our students, and affect Hawaii's assurances made to the United States Department of Education contained within Hawaii's Consolidated State Plan under the federal Every Student Succeeds Act for federal funding.

A transfer of jurisdiction as proposed in SB 171, SD2 could potentially affect all 256 Department schools statewide. Article X, Section 1 of the State Constitution specifies the state shall be the provider of public education, which would preclude any county from operating public schools in their geographic boundaries. Article X, Section 3 of the State Constitution grants the Board of Education the constitutional authority to formulate statewide educational policy. Further, numerous statutes, primarily under Chapter 302A, Hawaii Revised Statutes, clarify, support, and define the State's role, via the Department, in providing public K-12 education to the people of Hawaii.

The Department defers to the State Public Charter School Commission as to potential impacts this bill may have on charter schools.

Thank you for the opportunity to provide testimony on this measure.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.

DAVID Y. IGE
GOVERNOR



RODERICK K. BECKER
DIRECTOR

ROBERT YU
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

TESTIMONY BY RODERICK K. BECKER
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON LOWER AND HIGHER EDUCATION
ON
SENATE BILL NO. 171, S.D. 2

March 14, 2019
2:30 p.m.
Room 309

RELATING TO EDUCATION

Senate Bill No. 171, S.D. 2, creates a county education task force to establish a process for the transfer of jurisdiction over all public schools, including all State public education functions and funding, from the State to the county in which the public school is located.

The Department of Budget and Finance notes that Article X, Section 1, of the Hawaii State Constitution reads in part, "The State shall provide for the establishment, support and control of a statewide system of public schools" The Constitution envisions a single school system to ensure equitable funding for schools throughout the State. Having each county responsible for schools may not achieve that objective due to the differences in the respective county tax bases.

Thank you for your consideration of our comments.

Charlotte A. Carter-Yamauchi
Director

Shawn K. Nakama
First Assistant

Research (808) 587-0666
Revisor (808) 587-0670
Fax (808) 587-0681



LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
Honolulu, Hawaii 96813

Written Comments

SB171, SD2 RELATING TO EDUCATION

Charlotte A. Carter-Yamauchi, Director
Legislative Reference Bureau

Presented to the House Committee on Lower & Higher Education

Thursday, March 14, 2019, 2:30 p.m.
Conference Room 309

Chair Woodson and Members of the Committee:

Good afternoon Chair Woodson and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written comments on S.B. No. 171, S.D. 2, Relating to Education.

The purpose of this measure is to create a county education task force to establish a process for the transfer of jurisdiction over all public schools, including all state public education functions and funding, from the State to the county in which the public school is located; provided that the county has a population greater than five hundred thousand.

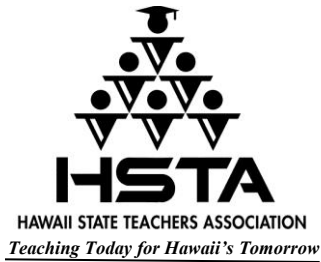
Under this measure, the Bureau is required to assist the task force in drafting proposed legislation to implement its recommendations.

The Bureau takes no position on the merits of this measure, but submits the following comments for your consideration.

The Bureau believes that the services requested under this measure are manageable and that the Bureau will be able to provide the services in the time allotted; provided that the Bureau's interim workload is not adversely impacted by too many other responsibilities, such as conducting studies, writing or finalizing other reports, drafting legislation, or any

combination of these for the Legislature or for other state agencies, task forces, or working groups that may be requested or required under other legislative measures.

Thank you again for the opportunity to submit written comments.



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Corey Rosenlee
President

Osa Tui Jr.
Vice President

Logan Okita
Secretary-Treasurer

Wilbert Holck
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON
LOWER & HIGHER EDUCATION

RE: SB 171, SD2 - RELATING TO EDUCATION

THURSDAY, MARCH 14, 2019

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

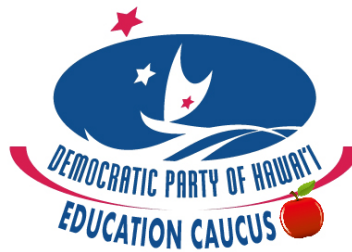
Chair Woodson, and Members of the Committees:

The Hawaii State Teachers Association **strongly opposes SB 171, SD2** that would create a county education task force to establish a process for the transfer of jurisdiction over all public schools, including all state public education functions and funding, from the state to the county in which the public school is located, provided that the county has a population greater than five hundred thousand.

This measure would transfer the state public education functions and funding to the City and County of Honolulu.

The City and County of Honolulu does not have the required staff nor facilities to oversee the public education functions. This transfer would cause for the duplication of functions at the County level that would still be done at the State level for the other three Counties. This would increase the cost for public education across the State. These funds would be better spent lowering class sizes, supporting our students with special needs, and a multitude of other costs that would better benefit our students, and for bargaining higher pay for our teachers.

The Hawaii State Teachers Association asks your committees to **oppose** SB 171, SD2.



SENATE BILL 171, SD 2, RELATING TO EDUCATION

MARCH 14, 2019 · HOUSE EDUCATION COMMITTEE
· CHAIR REP. JUSTIN H. WOODSON

POSITION: Opposition.

RATIONALE: The Democratic Party of Hawai'i Education Caucus opposes SB 171, SD 2, relating to education, which creates a county education task force to establish a process for the transfer of jurisdiction over all public schools, including all state public education functions and funding, from the State to the county in which the public school is located.

Pursuant to Article X, Section 1 of the Hawai'i State Constitution, "The State shall provide for the establishment, support and control of a statewide system of public schools free from sectarian control, a state university, public libraries and such other educational institutions as may be deemed desirable, including physical facilities therefor." This clause of the State Constitution establishes a statewide school system and, despite a persistent lack of funding, assists in the advancement of educational equity throughout our state. As Hawai'i State Teachers Association President Corey Rosenlee has said, "Our schools are underfunded, but equally poor."

Thus, we feel that the jurisdictional transfer called for by this measure would undermine our state's commitment to educational excellence for *all* children, force the counties to fund schools based on property tax rates and values, and lead to situations in which wealthy districts benefit from better funded schools at the expense of impoverished districts—exactly the financial situation

plaguing mainland school districts. Moreover, we note that the 21st Century Schools initiative may be undermined by this measure, as well as recent proposals passed to fully effectuate the program by redistributing school facilities and land previously owned by the counties to the state for potential development.

Finally, we note that transferring educational governance to the counties would require several constitutional amendments prior to the enactment of the transition process called for by this measure. At the very least, Article X, Section 1 would have to be significantly amended, along with Article X, Section 2, which establishes a centralized Board of Education, whose members are appointed by the governor. In the event that the counties assumed control of education functions, a centralized state-level school board would seem to conflict with the county-level autonomy needed to operate and finance schools using county resources, personnel, and revenue streams.

That said, we remain deeply disappointed by county officials who opposed the constitutional amendment to increase education funding by establishing a surcharge on residential investment property. An educated citizenry is an engaged citizenry, able to innovate for future social and economic needs, create new jobs and industries, and, most importantly, think critically about the pressing challenges of today, like climate change and wealth inequality. Those skills benefit the counties, too, and we urge county leaders to support measures to resolve our state's ongoing education funding and teacher shortage crises, rather than simply sit on the sidelines and criticize the work of others, like plantation owners protecting their own privilege and prosperity.

SB-171-SD-2

Submitted on: 3/12/2019 5:09:47 PM

Testimony for LHE on 3/14/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kenneth R. Conklin, Ph.D.	Individual	Support	No

Comments:

It is a wonderful idea to vastly reduce the bureaucracy of the Department of Education, and give local control to the local residents of each county.

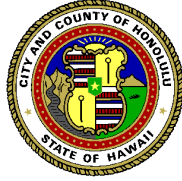
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CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR

ROY K. AMEMIYA, JR.
MANAGING DIRECTOR

GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR



March 13, 2019

LATE

The Honorable Justin H. Woodson, Chair
The Honorable Amy A. Peruso, Vice Chair
and Members of the Committee on Lower & Higher Education
House of Representatives
State Capitol, Conference Room 309
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Woodson, Vice Chair Peruso, and Members of the Committee on
Lower and Higher Education:

SUBJECT: S.B. No. 171 SD2
Relating to Education

S.B. No. 171 SD2, proposes to create a county education task force to establish a process for the transfer of jurisdiction over all public schools, including all state public education functions and funding, from the State to the county in which the public school is located.

S.B. No. 171 was introduced as part of the City and County of Honolulu's County Package and the City **supports** this measure.

Article X, Section 1, of the Constitution of the State of Hawaii (Article X) requires the State to provide a system of public education, which is unique among the fifty states because the State, rather than a county or local level jurisdiction, is responsible for providing public education to its children.

Furthermore, Act 97, Session Laws of Hawaii, 1965, (Act 97) transferred the responsibility for functions that were deemed to be of statewide concern from the counties to the State. Among these functions were the planning, construction, improvement, and maintenance of public school facilities and grounds, and the transportation of school children. Prior to this, the counties issued bonds to plan, construct, improve, and maintain public school facilities and grounds.

The Honorable Justin H. Woodson, Chair
The Honorable Amy A. Peruso, Vice Chair
and Members of the Committee on Lower & Higher Education
March 13, 2019
Page 2

As a result of Article X and Act 97, funding for public education in Hawaii is primarily sourced from the general fund of the State. With the growing need for various public services throughout the state, providing adequate funding for public education statewide has become a challenge, particularly when it comes to funding school capital improvement projects. This often results in deferred maintenance of existing educational facilities, backlogs in repair and maintenance projects, and delays in the construction of new educational facilities. Overall, public education is negatively impacted statewide.

Establishing a county education task force to look at the possibility of transferring jurisdiction over public schools to the City and County of Honolulu will allow us to look at the global picture of school financing and jurisdiction, and to work collaboratively at all levels of the educational network to improve financing mechanisms for public education, school governance, and any other issues in order to create a public educational system in Hawaii that is second to none

The City and County of Honolulu understands the concerns raised that transfer of school functions to the counties may have greater impacts on and disproportionately affect our sister counties. However, the task force is meant to simply look at all the possible options to effectuate a transfer of the public schools to the counties, including fiscal options and whether such a transfer is even feasible given the complexity of the issue. Nevertheless, the City and County of Honolulu would suggest that the measure be amended to restrict the scope of the measure to the City and County of Honolulu as initially proposed in S.B. No. 171.

S.B. No. 171 SD2 does not purport to solve all the issues facing education in Hawaii, and numerous obstacles need to be overcome, including the passage of Constitutional Amendments. However, the City and County of Honolulu believes it is a starting point to begin discussion on how to better improve the overall educational system in Hawaii.

Thank you for this opportunity to testify in support of S.B. No. 171, S.D. 2.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

LATE

The Thirtieth Legislature, State of Hawaii
House of Representatives
Committee on Lower & Higher Education

Testimony by
Hawaii Government Employees Association

March 14, 2019
2:20 p.m.

S.B. 171, S.D. 2 – RELATING TO EDUCATION

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO raises serious concerns over the purpose and intent of S.B. 171, S.D. 2 which creates a county education task force to establish a process for the transfer of jurisdiction over all public schools from the State to the county in which the public school is located.

The task force is not needed because there are tremendous obstacles that would not make the proposed change feasible. It would also require a change to the State Constitution. If funding is derived from existing property taxes, there will be a vast inequity of resources for our students between the neighbor islands and the students who are in public schools located within the City and County of Honolulu.

There will also be a duplication of services, doubling the cost to taxpayers, to at least maintain the current level of support for our public schools and the students we serve. For these reasons, we cannot support the creation of a task force whose members shall recommend and oversee a process for the transfer of jurisdiction over public schools to the counties and the methods by which a county educational system should be governed.

Thank you for the opportunity to raise concerns over the impact of S.B. 171.

Respectfully submitted,

Randy Perreira
Executive Director

Council Chair
Kelly T. King

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Riki Hokama
Alice L. Lee
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Maria E. Zielinski

COUNTY COUNCIL
COUNTY OF MAUI
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www.MauiCounty.us

**Late
Testimony**

March 14, 2019

TO: The Honorable Justin H. Woodson, Chair
House Committee on Lower and Higher Education

FROM: Kelly T. King
Council Chair *Kelly King*

SUBJECT: **HEARING OF MARCH 14, 2019; TESTIMONY IN SUPPORT OF SB 171,
SD2, RELATING TO EDUCATION**

Thank you for the opportunity to testify in **support** of this important measure. The purpose of this measure is to create a county education task force to establish a process for the transfer of jurisdiction over all public schools, including all state public education functions and funding, from the State to the county in which the public school is located.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. Decentralizing our school systems could allow the counties greater flexibility in developing and managing our schools. As such, we should take the opportunity to explore this option.
2. However, the counties currently do not have the capacity to fund education, which the measure acknowledges is a State function under the State Constitution. Our Constitution provides that "the State shall provide for the establishment and control of a statewide system of public schools free from sectarian control." This can only be achieved in a decentralized educational system if the State continues to provide funding for education adequate to meet the needs of our constituents.

For the foregoing reasons, I **support** this measure.

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