



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

Date: 03/22/2021

Time: 03:15 PM

Location: CR 229 & Videoconference

Committee: Senate Education

Department: Education

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

Title of Bill: HB 0546, SD1 PROPOSED RELATING TO EDUCATION.

Purpose of Bill: Amends the composition of the early learning board to make a representative from Aha Punana Leo a standing member. Sunsets on 6/30/2031. Effective 7/1/2050. (HD2)

Department's Position:

The Hawaii State Department of Education (Department) respectfully provides the following comments on HB 0546, SD1 PROPOSED as it relates to the Complex Area Superintendent positions.

In Section 1, the proposed legislation amends Hawaii Revised Statutes §302A-604, Complex area superintendents, to include "Complex area superintendents for schools shall report directly to the superintendent of education." Currently, the Complex Area Superintendents report to the Deputy Superintendent, per Board Policy 500-9, Establishment of Complex Areas.

The Department is concerned that this amendment may overextend the position of the Superintendent by increasing the number of direct reports to the Superintendent by fifteen (15). The Superintendent currently has eight (8) direct reports and serves as the chief executive officer of the public education system. Per Board Policy 500-4, the Superintendent is responsible for performing all duties necessary to ensure the proper conduct of the Department which includes planning, organizing, staffing, directing and controlling the educational programs, finances, personnel and facilities of the Department; advising the Hawaii State Board of Education (Board) in relation to general

policies and keeping them informed as to important educational developments; and bears final responsibility to the Board for the proper functioning of the Department.

The Deputy Superintendent serves as the line officer for school operations and oversees the academic and educator development functions of the Department, work that is more closely aligned to the work of the Complex Area Superintendents.

The Department appreciates the appropriation and supports the addition of the 45 positions established in Section 2 provided that this does not replace or adversely impact the priorities indicated in the Board-approved budget.

The Department would like to seek clarification on the statement in Section 2, page 3, lines 1-2: “provided that each position shall be supervised by the office of information and technology services.” As written, the proposed legislation places the 45 positions established in Section 2 under the supervision of the Office of Information Technology Services while reporting directly to the Complex Area Superintendent. It would not be appropriate for the Office of Information Technology Services to supervise employees that specialize in Title IX and civil rights compliance matters or in career and technical education as the office is not the subject matter experts in these areas. Within the current Department structure, Title IX and civil rights is currently under the jurisdiction of the Office of Talent Management and career and technical education is currently under the jurisdiction of the Office of Curriculum and Instructional Design.

Per Board Policy 500-1, Organization of the Department, the “organization of the Department shall be as determined by the Board and approved by the Governor in accordance with law.” This proposed legislation would circumvent the Board’s decision-making authority.

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

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. 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.


OFFICE OF HAWAIIAN AFFAIRS
‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai
Legislative Testimony

HB546 HD2
RELATING TO EDUCATION
Ke Kōmike ‘Aha Kenekoa o ka Ho‘ona‘auao
Senate Committee on Education

Malaki 22, 2021

3:15 p.m.

Lumi 229

The Office of Hawaiian Affairs (OHA) **STRONGLY SUPPORTS** HB546 HD2, which would facilitate the State’s kuleana to ‘Ōlelo Hawai‘i by providing ‘Aha Pūnana Leo with “invited” member status on the state’s Early Learning Board (ELB). Because the perpetuation of ‘Ōlelo Hawai‘i is so important to the evolving culture, health, and well-being of Native Hawaiians, this measure may be crucial to ensuring the continued use and growth of ‘Ōlelo Hawai‘i in Hawai‘i and beyond.

‘Aha Pūnana Leo provides the ELB with a unique and highly-specialized perspective due to its predominant role in ‘Ōlelo Hawai‘i early learning education. **Although our state is constitutionally mandated “to promote the study of Hawaiian culture, history, and language[,]”¹ and ‘Ōlelo Hawai‘i has been an official state language since 1978,² much remains to be done to ensure the re-normalization of the Hawaiian language, and ‘Aha Pūnana Leo remains the only statewide early learning system conducted in ‘Ōlelo Hawai‘i immersion for infants, toddlers, and preschoolers.** Since the inception of the ELB’s predecessor, the Early Learning Advisory Board, ‘Aha Pūnana Leo has consistently served as the board’s “representative of Hawaiian medium early learning providers.”³

Unfortunately, the ELB seat historically filled by an ‘Aha Pūnana Leo representative is currently limited to two, 2-year consecutive terms.⁴ Thus, this “Hawaiian medium early learning provider” representative may not serve more than a maximum of four consecutive years. These term limits create a significant challenge for ‘Aha Pūnana Leo to find a representative with the requisite experience and institutional knowledge to consistently fill this highly-specialized position, and has limited the ability of ‘Aha Pūnana Leo to establish

¹ HAW. CONST. ART. X SEC. 4.

² HAW. CONST. ART. XV SEC. 4.

³ The representative of Hawaiian medium early learning providers shall serve a two-year term. HRS §302L-1.6(10).

⁴ HRS §302L-1.6(10) sets a two-year term for the representative of Hawaiian medium early learning providers; HRS § 26-34(a) provides that “[n]o person shall be appointed consecutively to more than two terms as a member of the same board or commission[.]”

the continuous presence necessary to effectively advocate for the importance and value of a Hawaiian medium early education.

OHA commends the tireless efforts of ‘Aha Pūnana Leo, which has always strived to ensure that ‘Ōlelo Hawai‘i survives and thrives as a living language for future generations to come. By providing ‘Aha Pūnana Leo with an “invited” voting member seat, without term limits, HB546 HD2 will ensure a consistent Hawaiian medium voice on the ELB, as well as help to fulfill the greater mission to perpetuate and normalize the state’s official language of ‘Ōlelo Hawai‘i.

The strength and endurance of ‘Ōlelo Hawai‘i is intrinsically connected to the health and wellbeing of the Native Hawaiian people, and it is part of what makes Hawai‘i an authentic, unique, and beautiful place for all our local keiki to enjoy, learn, and ultimately thrive. We therefore urge the Committee to **PASS** HB546 HD2.

E ola mau ka ‘Ōlelo Hawai‘i!

Mahalo nui for the opportunity to testify on this important issue.

TESTIMONY BEFORE THE SENATE EDUCATION COMMITTEE

PERSONS TESTIFYING: Kaulanakilohana (members of the consortium of early childhood education higher education faculty in Hawai'i)

DATE: Monday, March 22, 2021

TIME: 3:15 PM

LOCATION: State Capitol Conference Room # 229 & Videoconference

TITLE OF BILL: **HB 546 HD2**

Honorable Chair Kidani, Vice Chair Mercado Kim, Senators Dela Cruz, Fevella & Kanuha,

We, members of Kaulanakilohana, the Early Childhood Education Higher Education Faculty, **strongly support HB 546 HD2.**

HB 546 HD2 will allow for a stable and consistent Hawaiian language medium voice on the Early Learning Board (ELB).

The current statute sets a two-term limit for this seat. This negatively impacts the continuity of representation for the Hawaiian language medium programs on the ELB because of the small group of people who can potentially serve in this role. Currently, because of these limits, the seat remains vacant on the ELB. 'Aha Pūnana Leo serves a unique purpose in Hawai'i's early learning system and the representation provided by this critical seat is vital to nurturing understanding and wisdom on the part of the ELB with regard to matters of importance to Native Hawaiian people. The organization has advised that because of the specialized knowledge required, continuity in representation would best serve the needs of the organization as well as the ELB when it comes to matters concerning Hawaiian language medium early learning programs. This measure is affirmed by testimony from the ELB and Executive Office of Early Learning.

As members of Kaulanakilohana, we believe that passage of **HB 546 HD2**, which provides an exemption from a member serving more than two consecutive terms, will allow the Hawaiian language medium early learning providers' seat on the ELB to be better represented through a consistent designee. Knowledge of these unique programs and institutional and policy expertise, is required to effectively advocate for the programs. Additionally, a stable board member will create the longevity needed to foster the reciprocal relationships necessary to impart wisdom to the ELB members as they engage in policy work. It will help members to intentionally impact programs for Native Hawaiian keiki and their 'ohana as well as avoid making decisions that result in unintended negative consequences. A consistent representative will also allow the ELB to stay current with the issues and vital work underway to revitalize Native Hawaiian language and culture that require consideration as we build an early learning system.

We are mindful of the need to build a system that will *perpetuate and normalize* ‘Ōlelo Hawai‘i, one of our two official languages as reflected in Article X, Section 4 of the Hawai‘i State constitution.

For the above reasons, **we strongly support HB 546 HD2.**

Mahalo for this opportunity to testify on this matter,

Kaulanakilohana

(Early Childhood Education Higher Education Faculty in Hawai‘i)

University of Hawai‘i at Hilo Ka Haka ‘Uka O Ke‘elikōlani - Noelani Iokepa-Guerrero, PhD

Hawai‘i Community College - Janet Smith, MA; and Brenda Watanabe, MEd

Honolulu Community College - Ann Abeshima, EdD; Elizabeth Hartline, MA; Eva Moravcik; Caroline Soga, PhD; Laurie Ann Takeno, EdM; and Cyndi Uyehara, MEd

Kaua‘i Community College - Antonia Fujimoto, MA

University of Hawai‘i at West O‘ahu - Susan Adler, PhD

University of Hawai‘i at Mānoa - Christopher Au, PhD; Robyn Chun, MEd; Richard Johnson, EdD; Theresa Lock, EdD; Leah Muccio, PhD

University of Hawai‘i Maui College - Julie Powers, MA; Gemma Medina, MEd

Chaminade University - Elizabeth Park, PhD and Yan Yan Imamura, MEd.

HB-546-HD-2

Submitted on: 3/21/2021 11:57:30 AM

Testimony for EDU on 3/22/2021 3:15:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Leimomi Khan | Individual | Support | No |

Comments:

I continue to support this measure.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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

LATE

The Thirty-First Legislature, State of Hawaii
Senate
Committee on Education

Testimony by
The Hawaii Government Employees Association

March 22, 2021

H.B. 546, H.D. 2, Proposed S.D. 1 — Relating To Education

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposes H.B. 546, H.D. 2, Proposed S.D. 1, which would require the 15 Complex Area Superintendents (CASs) to report directly to the Superintendent and makes appropriations for 45 FTE positions to be housed within the complex areas and report directly to the respective CAS.

Hawaii is the only state in the nation with a single, unified, statewide public school system. In 2018, the department was restructured to reduce the number of employees directly reporting to the Superintendent. The Superintendent relies heavily on the Deputy Superintendent, Assistant Superintendents and Complex Area Superintendents to assist in running the system effectively and efficiently. This bill would reverse the department's 2018 restructuring that allowed the Superintendent to focus on statewide student achievement and oversee implementation of academic standards throughout the system. It was intended to also free up the superintendent's time for system wide strategic planning.

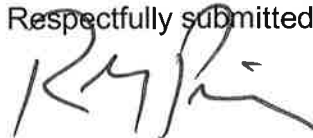
Currently, the CASs report directly to the Deputy Superintendent who, according to the department's Functional Statement, is responsible for leading, directing, and supervising the academic and educator development functions of the department, as well as serving as the line officer for school operations. The CASs oversee a complex area which consists of one or more school complexes, each school complex consisting of a high school and its feeder middle and elementary schools. Each school principal reports directly to their respective CAS. While there is always room for organizational improvement, we believe this current structure provides the Superintendent with the support necessary to efficiently and effectively administer the public school system in accordance with the law and educational policies adopted by the board of education.

Furthermore, a departmental reorganization is subject to consultation with the exclusive representatives of the employees concerned. It is unclear whether the 45 FTE positions to be housed within the complex area are new or existing and if the appropriations being made for their salary and benefit already exist in the department's budget. In their current Plan of Organization, the functions of these positions fall in the Office of Talent Management, the Office of Curriculum and Instructional Design, and the Office of Information Technology Services.

The department has an obligation under chapter 89 to engage in full and meaningful consultation prior to implementing these changes. Should these changes affect employees' terms and conditions of work in accordance with chapter 89, mutual agreement will be required. Failure to do so will be considered a willful violation of chapter 89 and HGEA's collective bargaining agreements.

Thank you for the opportunity to testify in opposition of H.B. 546, H.D. 2, Proposed S.D. 1.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Randy Perreira', written over the typed name below.

Randy Perreira
Executive Director

LATE

HB-546-HD-2

Submitted on: 3/22/2021 2:43:30 PM
Testimony for EDU on 3/22/2021 3:15:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-------------------|--------------|--------------------|--------------------|
| Susan Pcola_Davis | Individual | Support | No |

Comments:

I support this bill to streamline communication between complex superintendens and the DOE Superintendent. It also provides the complex superintendents with decision making about the delivery of administrative and instructional support.

This bill also brings under their responsibilities and accountabilities for managing their complex. These include all the aspects of a complex superintendent's duties.

Appropriations for the salary and benefits appear to be support positions for the complex superintendent. The 15 Title IX and civil rights officers are to be supervised by the office of information and technology, is odd.

I'm guessing the complexes have their own office of information and technology. If not, it seems that it would be difficult for the state office to supervise these positions.

- (1) For career and technical educations educators to effectuate career pipelines for students
- (2) For data processing user support technicians to assist with complex school connectivity and information technology needs.

****And provided that each position shall be supervised by the office of information and technology services.