

ACT 48

S.B. NO. 3004

A Bill for an Act Relating to Education.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 296-102, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) For the purposes of this section, “student-centered schools” means the implementation of alternative frameworks with regard to curriculum; facilities management; instructional approach; length of the school day, week, or year; and personnel management[.]; and may include two or more schools acting jointly. Any public school, up to a total of twenty-five schools, may establish a student-centered school; provided that:

- (1) Any public school which establishes a student-centered school shall be exempt from all applicable state laws; except those regarding:
 - (A) Collective bargaining under chapter 89, provided that the exclusive representatives and the employers defined in chapter 89 may enter into agreements which contain cost and noncost items to facilitate decentralized decision-making;
 - (B) State procurement laws; and
 - (C) Religious, racial, or sexual bias, and health and safety requirements;
- (2) The school establishes a local school board as its governing body composed of, at a minimum, one representative from each of the following participant groups:
 - (A) Principals;
 - (B) Instructional staff members selected by the school instructional staff;
 - (C) Support staff selected by the support staff of the school;
 - (D) Parents of students attending the school selected by the parents of the school;
 - (E) Student body representatives selected by the students of the school; and
 - (F) The community at-large selected by the board;
- (3) The local school board may formulate school-based educational policy and goals in accordance with statewide educational performance standards, adopt school performance standards and assessment mechanisms, monitor school success, and may select the principal as the chief executive officer of the school in accordance with chapter 89. The

principal shall consult and work collaboratively with the local school board and have jurisdiction over the internal organization, operation, and management of the school;

- (4) The local school board has developed a detailed implementation plan containing the elements prescribed under subsection (b) for a student-centered school that has been approved by three-fifths of the school's administrative, support, and teaching personnel, and parents; provided that the school personnel may request their bargaining unit representatives to certify and conduct the elections for their respective bargaining units;
- (5) The detailed implementation plan has been submitted to the board of education for review;
- (6) The detailed implementation plan assures compliance with statewide student performance standards; and
- (7) [All] No student-centered schools shall [not] charge tuition.”

SECTION 2. If S.B. No. 2446¹ or H.B. No. 3252² is passed by the legislature in any form during this regular session of 1996, whether before or after the effective date of this Act, then section -1224, Hawaii Revised Statutes, as contained in Section 2 of S.B. No. 2446¹ or H.B. No. 3252,² as the case may be, shall be amended to reflect the amendment of section 296-102, Hawaii Revised Statutes, in this Act.

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 24, 1996.)

Notes

1. Act 89.

2. Did not pass legislature.