STAND. COM. REP. NO. 268

Honolulu, Hawaii

Fe417, 2009

RE: H.B. No. 172 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committees on Education and Labor & Public Employment, to which was referred H.B. No. 172 entitled:

"A BILL FOR AN ACT RELATING TO RECONSTITUTING SCHOOLS," beg leave to report as follows:

The purpose of this bill is to help improve student academic performance by:

- (1) Allowing the Superintendent of Education (Superintendent) to reconstitute a public school, except a charter school, which has been in restructuring for three or more school years; and
- (2) Allowing the Superintendent to recommend to the Charter School Review Panel (Panel) actions that should be taken to reconstitute a charter school which has been in restructuring for three or more school years, and recommend that the Panel revoke the charter school's charter.

The Department of Education (DOE) testified in support of this bill. The Hawaii State Teachers Association and Hawaii Government Employees Association opposed this measure. The Charter School Administrative Office offered comments.

Your Committees have amended this bill by:

- (1) Changing the number of years that a school must be in restructuring to qualify for reconstitution from three or more school years to four or more school years;
- (2) Requiring that the school must also have not advanced significantly toward improving academic performance as determined by a statistical analysis of academic data;
- (3) Allowing the Superintendent to reconstitute a school only after certain considerations have been made;
- (4) Requiring the Superintendent to make a recommendation to the Board of Education to reconstitute the school, taking into consideration the recommendation of the complex area superintendent, if any;
- (5) Requiring DOE to negotiate with the respective unions the process of reassigning employees of the school to be reconstituted, to other DOE positions for which the employees are qualified; and
- (6) Requiring DOE to follow the current hiring and recruiting procedures for all qualified employees to be employed at the reconstituted school.

As affirmed by the records of votes of the members of your Committees on Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 172, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 172, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on behalf of the members of the Committees on Education and Labor & Public Employment,

KARL RHOADS, Chair

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ROY TAKUMI, Chair

HB172 HD1 HSCR EDN-LAB HMS 2009-2117





State of Hawaii House of Representatives The Twenty-fifth Legislature

Record of Votes of the Committee on Education

Bill/Resolution No.: HB172	Committee Referral: EDN/LAB, FIN			
☐ The committee is reconsidering its previ	ous decision on the measure.			
	unamended (as is) Pa hort form bill with HD to reco	ss, with amendments (
EDN Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)				
2. BERG, Lyla B. (VC)	,			
3. BERTRAM, Joe, III	V,			
4. CHANG, Jerry L.		,		
5. HANOHANO, Faye P.		V,		
6. MANAHAN, Joey		. 🗸		
7. NAKASHIMA, Mark M.				
8. RHOADS, Karl				
9. SAIKI, Scott K.				V.
10. SHIMABUKURO, Maile S.L.				V
41. TAKAI, K. Mark				
12. YAMANE, Ryan I.				_
13. CHING, Corinne W.L.	/			V
14. FINNEGAN, Lynn				
TOTAL (14)	7	3		3
The recommendation is: Adop		did not suppor	t recommendation	1.
Vice Chair's or designee's signature:	Jyle B. /3	ere		
Distribution: Original (White) – Committee	ee Opuplicate (Yellow) -	- Chief Clerk's Office	Duplicate (F	Pink) – HMSO

State of Hawaii House of Representatives The Twenty-fifth Legislature

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 172	EDN/LAB, FIN	Date:	2-11-0)S		
☐ The committee is reconsidering its previous decision on the measure.						
The recommendation is to: □ Pass, unamended (as is) □ Pass, with amendments (HD) □ Hold □ Pass short form bill with HD to recommit for future public hearing (recommit)						
LAB Members	Ayes	Ayes (WR)	Nays	Excused		
1. RHOADS, Karl (C)						
2. YAMASHITA, Kyle T. (VC)						
3. AQUINO, Henry J.C.	- E3 May 17 D E 2 1 1 1					
4. AWANA, Karen Leinani						
5. HANOHANO, Faye P.						
6. KEITH-AGARAN, Gilbert S.C.						
7. LEE, Marilyn B.						
Q NAVACITMA Moult M						
8. NAKASHIMA, Mark M.						
9. SAIKI, Scott K.				-		
10. SOUKI, Joseph M.						
11. TAKUMI, Roy M.						
12. PINE, Kymberly Marcos						
12. The, Kymberry Marcos						
TOBLY (4A)		,				
TOTAL (12)	9	,		2		
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation.						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						