STAND. COM. REP. NO. 142 -10

Honolulu, Hawaii **Fe G 5**, 2010 RE: H.B. No. 2377 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir: ,

Your Committee on Education, to which was referred H.B. No. 2377 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this bill is to improve the accountability of Hawaii's public education system by requiring the members of the Board of Education (BOE) to be nominated and, by and with the advice and consent of the Senate, appointed by the Governor from pools of qualified candidates presented to the Governor by the BOE Selection Advisory Council (Council).

Hawaii's Children First and a concerned individual testified in support of this bill. The Hawaii Association of Independent Schools, Hawaii Business Roundtable, and a concerned individual supported the intent of this measure. A concerned individual opposed this bill. The Governor's Administration, Representative from the 32<sup>nd</sup> district, Hawaii Government Employees' Association, and many concerned individuals offered comments.

Your Committee has amended this bill by:

- (1) Removing BOE's authority to:
  - (A) Restructure the Department of Education (DOE) to ensure that it is decentralized in a manner to



promote student growth and achievement and greater accountability; and

- (B) Monitor and protect student rights provided by law;
- (2) Changing BOE membership from 15 appointed members to nine appointed members;
- (3) Specifying the terms of the members initially appointed to each BOE seat as follows:
  - (A) Three members shall serve two-year terms;
  - (B) Three members shall serve three-year terms; and
  - (C) Three members shall serve four-year terms;
- (4) Removing the requirement that certain BOE members represent and reside in certain geographic areas of the state, and the associated provisions for the Council to present candidates to fill vacant seats from these areas;
- (5) Changing the terms of each appointed BOE member from five to four years;
- (6) Specifying that for the period that BOE has fewer than eight appointed members, four members shall constitute a quorum, and that the concurrence of at least four members is needed to validate any BOE action; provided that when BOE reaches at least eight members, a majority of the members to which BOE is entitled shall constitute a quorum;
- (7) Deleting provisions relating to the notice requirements for BOE meetings;
- (8) Removing the requirement that BOE meet a certain number of times each year;
- (9) Deleting provisions enabling BOE to meet in the counties of Hawaii, Maui, and Kauai; and
- (10) Making technical, nonsubstantive amendments for clarity, consistency, and style.



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As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2377, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2377, H.D. 1, and be referred to the Committee on Judiciary.

HB2377 HD1 HSCR EDN HMS 2010-1629

Respectfully submitted on behalf of the members of the Committee on Education,

ROY TAKUMI, Chair

## State of Hawaii House of Representatives The Twenty-fifth Legislature

HSCR 142-10

## **Record of Votes of the Committee on Education**

Bill/Resolution No.:	Committee F	Referral:	Da	Date: 2-3-2010		
HB 2377	EDN, JUD, FIN			2-3-6		
The committee is reconsidering its previous decision on the measure.						
The recommendation is to: D Pass, unamended (as is) A Pass, with amendments (HD) D Hold						
Pass short form bill with HD to recommit for future public hearing (recommit)						
EDN Members		Ayes	Ayes (WR)	Nays	Excused	
1. TAKUMI, Roy M. (C)						
2. BERG, Lyla B. (VC)		$\overline{\checkmark}$				
3. BERTRAM, Joe, III						
4. CHANG, Jerry L.	#1815129711-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1					
5. HANOHANO, Faye P.		× V				
6. MANAHAN, Joey	· 建始明道本本 示字性 新闻	THE PARTY AND DESCRIPTION	In the second second			
7. NAKASHIMA, Mark M. 8. RHOADS, Karl						
8. RHOADS, Karl 9. SAIKI, Scott K.					<b>V</b>	
10. SHIMABUKURO, Maile S.L.						
11. TAKAI, K. Mark		<u> </u>				
12. YAMANE, Ryan I.	ana ang ang ang ang ang ang ang ang ang	INCOMPTOINTING AN OTHER PROPERTY.	nagaran di seri di dangan san	AN CONTERNET CONFICTANCE CONTERNED CONFICTANCE	CANADARA AND AND AND AND AND AND AND AND AND AN	
13. CHING, Corinne W.L.						
14. PINE, Kymberly Marcos		$\checkmark$				
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TOTAL (14)		1]			3	
The recommendation is: Adopted D 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						

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