

JAN 27 2016

A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the Hawaiian
2 language college established at the University of Hawaii at Hilo
3 through action of the 1996 legislature has progressed in
4 addressing its mandate and is appropriately restructured to
5 further spread its services to the people of Hawaii. When a
6 governing unit such as a province, region, or county has two
7 official languages, international best practice is to establish
8 a minority official language university in an area where the
9 smaller official language is represented as a particularly large
10 percentage of the population. According to the United States
11 Census Bureau's most recent statistics, Hawaiian is the largest
12 non-English language spoken in homes on the island of Hawaii.

13 The legislature finds that establishing a Hawaiian language
14 university in Hilo will provide support for government entities
15 that may wish to use the Hawaiian language for various purposes.
16 Furthermore, such a university, in collaboration with other
17 entities, will promote the study of the Hawaiian language,



1 culture, and history in accordance with section 4, article X of
2 the state constitution.

3 The legislature further finds that establishing a Hawaiian
4 language university in Hilo that includes a teacher education
5 and laboratory school program will support and strengthen an
6 education system for Hawaiian speaking families choosing a
7 Hawaiian language medium education to fulfill state compulsory
8 education requirements. In conjunction with other University of
9 Hawaii campuses throughout the State, a Hawaiian language
10 university will enhance and expedite the growth of teaching and
11 use of the Hawaiian language throughout the State's education
12 system.

13 Finally, the legislature finds that a viable and prudent
14 approach to restructuring the Hawaiian language college is to
15 use the model of a university within a university so that the
16 Hawaiian language university shares students, faculty,
17 resources, and functions with the University of Hawaii at Hilo.
18 Accordingly, the purpose of this Act is to transform the
19 Hawaiian language college at the University of Hawaii at Hilo
20 into the Hawaiian language university and Hawaiian language
21 college.



SECTION 2. Section 304A-1301, Hawaii Revised Statutes, is amended to read as follows:

"[+]§304A-1301[+] Hawaiian language university and Hawaiian language college; establishment. (a) There shall be a Hawaiian language university and Hawaiian language college [at] sharing courses, facilities, students, administrators, faculty, and other resources with the University of Hawaii at Hilo [~~—The college shall provide a Hawaiian liberal education program providing education primarily through the Hawaiian language.~~] as appropriate and as determined by the faculty senate of the Hawaiian language university.

(b) The Hawaiian language university and Hawaiian language college shall:

- (1) Be administered using the Hawaiian language;
- (2) Operate an appropriate range of programs and qualifications throughout the year and throughout the world; and
- (3) Have the power to partner with any other educational or government entity including entities within the larger University of Hawaii system."



SECTION 3. Section 304A-1302, Hawaii Revised Statutes, is amended to read as follows:

"~~[§]304A-1302[§]~~ **Functions.** In addition to providing a quality education primarily through the medium of the Hawaiian language, the Hawaiian language university and Hawaiian language college shall:

- (1) Provide an indigenous language outreach program to involve indigenous language students and scholars and to maintain and develop the program's ~~[Polynesian language database,]~~ various databases;
- (2) Provide a Hawaiian medium teacher training program incorporating Nawahiokalani'opu'u school and other schools, as appropriate, as laboratory schools; ~~[and]~~
- (3) Maintain a Hawaiian language support center with educational specialists in the areas of research, curriculum development, language development, archival work, ~~[and]~~ educational technology[-], and other related areas as appropriate; and
- (4) Develop, pilot, and disseminate distinctive pathways, procedures, and rules that provide for the support and



1 use of Hawaiian as an official language of
2 government."

3 SECTION 4. Not later than the end of the 2016-2017
4 academic year, the president of the faculty senate of the
5 Hawaiian language university and Hawaiian language college and
6 the chancellor of the University of Hawaii at Hilo shall adopt a
7 memorandum of understanding that includes the details of shared
8 operations and administration and a time frame and procedure for
9 regularly amending the memorandum.

10 SECTION 5. All rights, powers, functions, and duties of
11 the Hawaiian language college are transferred to the Hawaiian
12 language university and Hawaiian language college.

13 All officers and employees whose functions are transferred
14 by this Act shall be transferred with their functions and shall
15 continue to perform their regular duties upon their transfer,
16 subject to the state personnel laws and this Act.

17 No officer or employee of the State having tenure shall
18 suffer any loss of salary, seniority, prior service credit,
19 vacation, sick leave, or other employee benefit or privilege as
20 a consequence of this Act, and such officer or employee may be
21 transferred or appointed to a civil service position without the



1 necessity of examination; provided that the officer or employee
2 possesses the minimum qualifications for the position to which
3 transferred or appointed; and provided that subsequent changes
4 in status may be made pursuant to applicable civil service and
5 compensation laws.

6 An officer or employee of the State who does not have
7 tenure and who may be transferred or appointed to a civil
8 service position as a consequence of this Act shall become a
9 civil service employee without the loss of salary, seniority,
10 prior service credit, vacation, sick leave, or other employee
11 benefits or privileges and without the necessity of examination;
12 provided that such officer or employee possesses the minimum
13 qualifications for the position to which transferred or
14 appointed.

15 If an office or position held by an officer or employee
16 having tenure is abolished, the officer or employee shall not
17 thereby be separated from public employment, but shall remain in
18 the employment of the State with the same pay and classification
19 and shall be transferred to some other office or position for
20 which the officer or employee is eligible under the personnel



1 laws of the State as determined by the head of the department or
2 the governor.

3 SECTION 6. All appropriations, records, equipment,
4 machines, files, supplies, contracts, books, papers, documents,
5 maps, and other personal property heretofore made, used,
6 acquired, or held by the Hawaiian language college relating to
7 the functions transferred to the Hawaiian language university
8 and Hawaiian language college shall be transferred with the
9 functions to which they relate.

10 SECTION 7. All offices, buildings, real property, and
11 other resources of the Hawaiian language college, including
12 building sites and construction funds shall be transferred to
13 the Hawaiian language university and Hawaiian language college.

14 SECTION 8. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 9. This Act shall take effect upon its approval.
17

INTRODUCED BY:

William P. Wai
By Request



S.B. NO. 2720

Report Title:

Hawaiian Language University and Hawaiian Language College

Description:

Transforms the Hawaiian language college at the University of Hawaii at Hilo into the Hawaiian language university and Hawaiian language college.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

