



GOV. MSG. NO. 1283

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 6, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

I am transmitting herewith HB 546 HD2 SD2 CD1, without my approval and with the statement of objections relating to the measure.

HB546 HD2 SD2 CD1

RELATING TO EDUCATION.

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

EXECUTIVE CHAMBERS

HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 546

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 546, entitled "A Bill for an Act Relating to Education."

The purposes of this bill are to: (1) require Complex Area Superintendents to report directly to the Superintendent of Education (Superintendent); (2) require the Department of Education (DOE)'s Office of Information Technology Services to submit a report to the Legislature pertaining to the restructuring requirements in the next biennium set forth in the bill; and (3) require the DOE's Office of Strategy, Innovation, and Performance to submit a report to the Legislature pertaining to the restructuring requirements in the next biennium set forth in the bill.

This bill is objectionable because it circumvents the statutory control and authority of the Board of Education to determine the organizational structure of the department. The structural change in staff reporting at the DOE that this bill prescribes may prevent the Superintendent from effectively conducting the Superintendent's core job functions by overburdening the Superintendent with the additional responsibility of supervising the work of 15 Complex Area Superintendents. The primary role of the Superintendent is to oversee the planning, organizing, and directing of system-wide programming, financing, and personnel. The existing organizational structure allows the Superintendent to focus on the overall strategic planning and vision for the DOE. Currently, Complex Area Superintendents report to the Deputy Superintendent, who is charged with overseeing academic and educator development and is better positioned to oversee the work of Complex Area Superintendents.

STATEMENT OF OBJECTIONS
HOUSE BILL NO. 546
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Additionally, this bill would make a significant alteration to organizational reporting structure within the DOE through statute. Writing this change into state law may make it difficult for the DOE to make future changes in reporting structure without first receiving legislative approval. This would significantly hinder DOE's ability to aptly develop a dynamic organizational structure that best serves the needs of students, administrators, and other school functions.

Furthermore, the organization of each department is established via detailed organizational charts, which are comprised of multiple levels of organizational units. These organizational structures are developed based on public-service needs, budget restraints, and sound administrative practices and are periodically revised to address changing circumstances. Initiating reorganizations through the legislative process largely ignores all of these multifaceted considerations.

For the foregoing reasons, I am returning House Bill No. 546 without my approval.

Respectfully,



DAVID Y. IGE
Governor of Hawai'i

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

PART I

SECTION 1. Section 302A-604, Hawaii Revised Statutes, is amended to read as follows:

"§302A-604 Complex area superintendents. The superintendent of education, with the approval of the board, shall appoint complex area superintendents for schools. Complex area superintendents for schools shall report directly to the superintendent of education. The complex area superintendents shall supervise the delivery of administrative and instructional support services within their respective complex areas, including:

- (1) Personnel, fiscal, and facilities support;
- (2) Monitoring of compliance with applicable state and federal laws;
- (3) Curriculum development, student assessment, and staff development services; and
- (4) Special education programs and special schools within the complex area."



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PART II

SECTION 2. The department of education's office of information technology services shall submit a report to the legislature no later than thirty days prior to the convening of the regular session of 2022 with a detailed explanation of how the office of information technology services will be restructured in the next biennium to do the following:

- (1) Improve support for information technology career and technical education programs;
- (2) Improve visibility for information technology priorities and status of work and responsiveness to support requests from schools and complexes;
- (3) Increase information technology support to schools and complexes;
- (4) Increase functionality of online platforms for students, teachers, school administrators, families, and other end-users; and
- (5) Create a feedback loop for end-users to submit their needs and requests to the office of information technology services with a clear timetable on follow-up.



1 SECTION 3. The department of education's office of
2 strategy, innovation, and performance shall submit a report to
3 the legislature no later than thirty days prior to the convening
4 of the regular session of 2022 with a detailed explanation of
5 how the office of strategy, innovation, and performance will be
6 restructured in the next biennium to do the following:

7 (1) Determine the structural alignment of the offices and
8 their branches;

9 (2) Restructure a plan to align the objectives of the
10 different branches of the office of strategy,
11 innovation, and performance to the requirements of
12 federal and state regulations;

13 (3) Engage feedback from end-user groups such as complex
14 area superintendents, schools, legislators, and board
15 of education members;

16 (4) Realign the community engagement branch to appropriate
17 offices within the department of education; and

18 (5) Provide an assessment of current staffing needs as it
19 relates to the restructuring of the office of
20 strategy, innovation, and performance.

21 PART III



HB No. 546, HD 2, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 27, 2021
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021.


President of the Senate


Clerk of the Senate