
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 PART I

2 SECTION 1. The legislature finds that Act 51, Session Laws
3 of Hawaii 2004 (Act 51), was enacted to improve leadership,
4 accountability, and decision-making within the State's public
5 school system. The legislature further finds, however, that
6 since the enactment of Act 51, concerns have arisen regarding
7 the implementation and efficacy of certain structures it
8 created.

9 Accordingly, the purpose of this Act is to revisit the
10 foundational elements of the State's education system to ensure
11 that the goals of Act 51 are being achieved and to eliminate
12 provisions that have created unnecessary administrative burdens
13 and unclear authority structures.

14 PART II

15 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
16 amended by adding a new section to part IV, subpart C, to be
17 appropriately designated and to read as follows:



1 "§302A- Department of education; system structure;
2 districts; district superintendents; deputy district
3 superintendents. (a) The department of education shall be
4 divided into district offices. There shall be a
5 superintendent for academics for each district and one or more
6 deputy superintendents for each district to provide support and
7 leadership with school operations and administration; provided
8 that each district superintendent and deputy district
9 superintendent shall be appointed by the superintendent of
10 education. Each district superintendent may appoint
11 administrative staff and academic staff support positions, as
12 necessary, subject to approval of the superintendent of
13 education.

14 (b) Each district superintendent and deputy district
15 superintendent shall have authority over the principals of each
16 school within their respective district to ensure consistent
17 direction over general operations and academic oversight;
18 provided that each principal shall be empowered to personalize
19 efforts for their school and school community.

20 (c) Each district superintendent and deputy district
21 superintendent shall be subject to an annual performance



- 1 certified that the service is special or unique or is
2 essential to the public interest and that, because of
3 circumstances surrounding its fulfillment, personnel
4 to perform the service cannot be obtained through
5 normal civil service recruitment procedures. Any
6 contract may be for any period not exceeding one year;
- 7 (3) Positions that must be filled without delay to comply
8 with a court order or decree if the director
9 determines that recruitment through normal recruitment
10 civil service procedures would result in delay or
11 noncompliance, such as the Felix-Cayetano consent
12 decree;
- 13 (4) Positions filled by the legislature or by either house
14 or any committee thereof;
- 15 (5) Employees in the office of the governor and office of
16 the lieutenant governor, and household employees at
17 Washington Place;
- 18 (6) Positions filled by popular vote;
- 19 (7) Department heads, officers, and members of any board,
20 commission, or other state agency whose appointments



1 are made by the governor or are required by law to be
2 confirmed by the senate;

3 (8) Judges, referees, receivers, masters, jurors, notaries
4 public, land court examiners, court commissioners, and
5 attorneys appointed by a state court for a special
6 temporary service;

7 (9) One bailiff for the chief justice of the supreme court
8 who shall have the powers and duties of a court
9 officer and bailiff under section 606-14; one
10 secretary or clerk for each justice of the supreme
11 court, each judge of the intermediate appellate court,
12 and each judge of the circuit court; one secretary for
13 the judicial council; one deputy administrative
14 director of the courts; three law clerks for the chief
15 justice of the supreme court, two law clerks for each
16 associate justice of the supreme court and each judge
17 of the intermediate appellate court, one law clerk for
18 each judge of the circuit court, two additional law
19 clerks for the civil administrative judge of the
20 circuit court of the first circuit, two additional law
21 clerks for the criminal administrative judge of the



1 circuit court of the first circuit, one additional law
2 clerk for the senior judge of the family court of the
3 first circuit, two additional law clerks for the civil
4 motions judge of the circuit court of the first
5 circuit, two additional law clerks for the criminal
6 motions judge of the circuit court of the first
7 circuit, and two law clerks for the administrative
8 judge of the district court of the first circuit; and
9 one private secretary for the administrative director
10 of the courts, the deputy administrative director of
11 the courts, each department head, each deputy or first
12 assistant, and each additional deputy, or assistant
13 deputy, or assistant defined in paragraph (16);
14 (10) First deputy and deputy attorneys general, the
15 administrative services manager of the department of
16 the attorney general, one secretary for the
17 administrative services manager, an administrator and
18 any support staff for the criminal and juvenile
19 justice resources coordination functions, and law
20 clerks;



- 1 (11) (A) Teachers, principals, vice-principals, [~~complex~~
2 ~~area superintendents,~~] district superintendents,
3 deputy district superintendents, deputy and
4 assistant superintendents, other certificated
5 personnel, and no more than twenty
6 noncertificated administrative, professional, and
7 technical personnel not engaged in instructional
8 work;
- 9 (B) Effective July 1, 2003, teaching assistants,
10 educational assistants, bilingual or bicultural
11 school-home assistants, school psychologists,
12 psychological examiners, speech pathologists,
13 athletic health care trainers, alternative school
14 work study assistants, alternative school
15 educational or supportive services specialists,
16 alternative school project coordinators, and
17 communications aides in the department of
18 education;
- 19 (C) The special assistant to the state librarian and
20 one secretary for the special assistant to the
21 state librarian; and



1 (D) Members of the faculty of the university of
2 Hawaii, including research workers, extension
3 agents, personnel engaged in instructional work,
4 and administrative, professional, and technical
5 personnel of the university;

6 (12) Employees engaged in special, research, or
7 demonstration projects approved by the governor;

8 (13) (A) Positions filled by inmates, patients of state
9 institutions, and persons with severe physical or
10 mental disabilities participating in the work
11 experience training programs;

12 (B) Positions filled with students in accordance with
13 guidelines for established state employment
14 programs; and

15 (C) Positions that provide work experience training
16 or temporary public service employment that are
17 filled by persons entering the workforce or
18 persons transitioning into other careers under
19 programs such as the federal Workforce Investment
20 Act of 1998, as amended, or the Senior Community
21 Service Employment Program of the Employment and



1 Training Administration of the United States
2 Department of Labor, or under other similar state
3 programs;

4 (14) A custodian or guide at Iolani Palace, the Royal
5 Mausoleum, and Hulihee Palace;

6 (15) Positions filled by persons employed on a fee,
7 contract, or piecework basis, who may lawfully perform
8 their duties concurrently with their private business
9 or profession or other private employment and whose
10 duties require only a portion of their time, if it is
11 impracticable to ascertain or anticipate the portion
12 of time to be devoted to the service of the State;

13 (16) Positions of first deputies or first assistants of
14 each department head appointed under or in the manner
15 provided in section 6, article V, of the Hawaii State
16 Constitution; three additional deputies or assistants
17 either in charge of the highways, harbors, and
18 airports divisions or other functions within the
19 department of transportation as may be assigned by the
20 director of transportation, with the approval of the
21 governor; one additional deputy in the department of



1 human services either in charge of welfare or other
2 functions within the department as may be assigned by
3 the director of human services; four additional
4 deputies in the department of health, each in charge
5 of one of the following: behavioral health,
6 environmental health, hospitals, and health resources
7 administration, including other functions within the
8 department as may be assigned by the director of
9 health, with the approval of the governor; two
10 additional deputies in charge of the law enforcement
11 programs, administration, or other functions within
12 the department of law enforcement as may be assigned
13 by the director of law enforcement, with the approval
14 of the governor; three additional deputies each in
15 charge of the correctional institutions,
16 rehabilitation services and programs, and
17 administration or other functions within the
18 department of corrections and rehabilitation as may be
19 assigned by the director of corrections and
20 rehabilitation, with the approval of the governor; two
21 administrative assistants to the state librarian; and



1 an administrative assistant to the superintendent of
2 education;

3 (17) Positions specifically exempted from this part by any
4 other law; provided that:

5 (A) Any exemption created after July 1, 2014, shall
6 expire three years after its enactment unless
7 affirmatively extended by an act of the
8 legislature; and

9 (B) All of the positions defined by paragraph (9)
10 shall be included in the position classification
11 plan;

12 (18) Positions in the state foster grandparent program and
13 positions for temporary employment of senior citizens
14 in occupations in which there is a severe personnel
15 shortage or in special projects;

16 (19) Household employees at the official residence of the
17 president of the university of Hawaii;

18 (20) Employees in the department of education engaged in
19 the supervision of students during meal periods in the
20 distribution, collection, and counting of meal



- 1 tickets, and in the cleaning of classrooms after
2 school hours on a less than half-time basis;
- 3 (21) Employees hired under the tenant hire program of the
4 Hawaii public housing authority; provided that no more
5 than twenty-six per cent of the authority's workforce
6 in any housing project maintained or operated by the
7 authority shall be hired under the tenant hire
8 program;
- 9 (22) Positions of the federally funded expanded food and
10 nutrition program of the university of Hawaii that
11 require the hiring of nutrition program assistants who
12 live in the areas they serve;
- 13 (23) Positions filled by persons with severe disabilities
14 who are certified by the state vocational
15 rehabilitation office that they are able to perform
16 safely the duties of the positions;
- 17 (24) The sheriff;
- 18 (25) A gender and other fairness coordinator hired by the
19 judiciary;
- 20 (26) Positions in the Hawaii National Guard youth and adult
21 education programs;



- 1 (27) In the Hawaii state energy office in the department of
2 business, economic development, and tourism, all
3 energy program managers, energy program specialists,
4 energy program assistants, and energy analysts;
- 5 (28) Administrative appeals hearing officers in the
6 department of human services;
- 7 (29) In the Med-QUEST division of the department of human
8 services, the division administrator, finance officer,
9 health care services branch administrator, medical
10 director, and clinical standards administrator;
- 11 (30) In the director's office of the department of human
12 services, the enterprise officer, information security
13 and privacy compliance officer, security and privacy
14 compliance engineer, security and privacy compliance
15 analyst, information technology implementation
16 manager, assistant information technology
17 implementation manager, resource manager, community or
18 project development director, policy director, special
19 assistant to the director, and limited English
20 proficiency project manager or coordinator;



- 1 (31) The Alzheimer's disease and related dementia services
2 coordinator in the executive office on aging;
- 3 (32) In the Hawaii emergency management agency, the
4 executive officer, public information officer, civil
5 defense administrative officer, branch chiefs, and
6 emergency operations center state warning point
7 personnel; provided that for state warning point
8 personnel, the director shall determine that
9 recruitment through normal civil service recruitment
10 procedures would result in delay or noncompliance;
- 11 (33) The executive director and seven full-time
12 administrative positions of the school facilities
13 authority;
- 14 (34) Positions in the Mauna Kea stewardship and oversight
15 authority;
- 16 (35) In the office of homeland security of the department
17 of law enforcement, the statewide interoperable
18 communications coordinator;
- 19 (36) In the social services division of the department of
20 human services, the business technology analyst;
- 21 (37) The executive director and staff of the 911 board;



1 (38) The software developer supervisor and senior software
2 developers in the department of taxation;

3 (39) In the department of law enforcement, five Commission
4 on Accreditation for Law Enforcement Agencies, Inc.,
5 coordinator positions;

6 (40) The state fire marshal and deputy state fire marshal
7 in the office of the state fire marshal;

8 (41) The administrator for the law enforcement standards
9 board;

10 (42) In the office of the director of taxation, the data
11 privacy officer and tax business analysts; and

12 [+](43)[+]All positions filled by the Hawaii tourism authority
13 within the department of business, economic
14 development, and tourism.

15 The director shall determine the applicability of this
16 section to specific positions.

17 Nothing in this section shall be deemed to affect the civil
18 service status of any incumbent as it existed on July 1, 1955."

19 SECTION 4. Section 84-17, Hawaii Revised Statutes, is
20 amended by amending subsection (c) to read as follows:



1 "(c) The following persons shall file annually with the
2 state ethics commission a disclosure of financial interests:

3 (1) The governor, lieutenant governor, members of the
4 legislature, and delegates to the constitutional
5 convention; provided that delegates to the
6 constitutional convention shall only be required to
7 file initial disclosures;

8 (2) The directors and their deputies, the division chiefs,
9 the executive directors and the executive secretaries
10 and their deputies, the purchasing agents, and the
11 fiscal officers, regardless of the titles by which the
12 foregoing persons are designated, of every state
13 agency and department;

14 (3) The permanent employees of the legislature and its
15 service agencies, other than persons employed in
16 clerical, secretarial, or similar positions;

17 (4) The administrative director of the State, and the
18 assistants in the office of the governor and
19 lieutenant governor, other than persons employed in
20 clerical, secretarial, or similar positions;



- 1 (5) The hearings officers of every state agency and
2 department;
- 3 (6) The president, vice presidents, assistant vice
4 presidents, chancellors, and provosts of the
5 [University] university of Hawaii and its community
6 colleges;
- 7 (7) The superintendent, deputy superintendent, assistant
8 superintendents, [~~complex area~~] district
9 superintendents, deputy district superintendents,
10 state librarian, and deputy state librarian of the
11 department of education;
- 12 (8) The administrative director and deputy director of the
13 courts;
- 14 (9) The members of every state board or commission whose
15 original terms of office are for periods exceeding one
16 year and whose functions are not solely advisory;
- 17 (10) Candidates for state elective offices, including
18 candidates for election to the constitutional
19 convention; provided that candidates shall only be
20 required to file initial disclosures;



1 (11) The administrator and assistant administrator of the
2 office of Hawaiian affairs;

3 (12) The Hawaii unmanned aerial systems test site chief
4 operating officer; and

5 (13) The members of the school facilities board appointed
6 by the governor."

7 SECTION 5. Section 264-142, Hawaii Revised Statutes, is
8 amended by amending subsection (b) to read as follows:

9 "(b) Within each community the department shall coordinate
10 with the applicable county to develop a comprehensive plan for
11 the establishment of any portion of the following within the
12 department or county's jurisdiction, as applicable:

13 (1) A contiguous network of bicycle and pedestrian
14 pathways connecting all public schools and libraries
15 in each school [~~complex~~] district area to one another,
16 and to its respective state and county transportation
17 infrastructure, in which intersections with other
18 modes of transportation shall be minimized; provided
19 that the pathway network shall be separated and
20 protected from vehicular traffic by physical or



1 natural barriers, or by meaningful distance or
2 elevation;

3 (2) A contiguous network of bicycle and pedestrian
4 pathways connecting commercial business and shopping
5 hubs to residential areas, and to its respective state
6 and county transportation infrastructure, in which
7 intersections with other modes of transportation shall
8 be minimized; provided that the pathway network shall
9 be separated and protected from vehicular traffic by
10 physical or natural barriers, or by meaningful
11 distance or elevation; and

12 (3) Pedestrian exercise and active health pathways of
13 meaningful length in which intersections with other
14 modes of transportation shall be minimized; provided
15 that these pathways shall be separated and protected
16 from vehicular traffic by physical or natural
17 barriers, or by meaningful distance or elevation, and
18 easily accessible to residential and high density
19 communities where appropriate."

20 SECTION 6. Section 302A-101, Hawaii Revised Statutes, is
21 amended as follows:



1 1. By amending the definition of "district" to read:
 2 ""District" means [~~the state public education system as a~~
 3 ~~whole,~~] one of the districts established pursuant to
 4 section 302A- , except as may be used by the department for
 5 federal compliance and reporting requirements."

6 2. By deleting the definitions of "complex", "complex
 7 area", and "complex superintendent".

8 [~~"Complex" means the high school and those elementary,~~
 9 ~~middle, and intermediate schools that feed into the high school~~
 10 ~~as designated by the department.~~

11 ~~"Complex area" means the administrative unit that includes~~
 12 ~~one or more complexes as designated by the department.~~

13 ~~"Complex area superintendent" means the chief~~
 14 ~~administrative officer of a complex area and the complexes~~
 15 ~~therein."~~]

16 SECTION 7. Section 302A-321, Hawaii Revised Statutes, is
 17 amended to read as follows:

18 "**[~~§~~302A-321~~]~~** **Standards-based curriculum.** (a) When
 19 developing a standards-based curriculum and implementing it in a
 20 school or [~~complex,~~] district, at the minimum, the curriculum
 21 shall:



- 1 (1) Be specific in its standards-based scope and sequence
2 over a school year for each grade level and course;
- 3 (2) Be consistent in course content;
- 4 (3) Be aligned across all grade levels;
- 5 (4) Specifically address the state content and performance
6 standards and related benchmark maps; and
- 7 (5) Be implemented in all appropriate classrooms in the
8 school or [~~complex~~] district.
- 9 (b) School [~~complexes~~] districts may choose to develop an
10 articulated and aligned K-12 standards-based curriculum in one
11 or more of the following core content areas:
- 12 (1) Language arts;
- 13 (2) Mathematics;
- 14 (3) Science; and
- 15 (4) Social studies.
- 16 (c) School [~~complexes~~] districts shall provide
17 professional development.
- 18 (d) School [~~complexes~~] districts that develop a standards-
19 based curriculum shall use standards-based formative assessment
20 tools to monitor student progress, not less than on a quarterly
21 basis throughout the school year.



1 (e) School [~~complexes~~] districts shall develop rigorous
2 classroom-based performance assessments.

3 (f) School [~~complexes~~] districts may implement software
4 programs at the school level to help to align school course
5 material with Hawaii content and performance and federal
6 educational standards."

7 SECTION 8. Section 302A-323, Hawaii Revised Statutes, is
8 amended as follows:

9 1. By amending subsections (b) and (c) to read:

10 "(b) Beginning with the 2022-2023 school year, at least
11 one public elementary school and one public middle or
12 intermediate school in each [~~complex-area~~] district shall offer
13 computer science courses or computer science content.

14 (c) Beginning with the 2023-2024 school year, no less than
15 fifty per cent of the public elementary schools and no less than
16 fifty per cent of the public middle and intermediate schools in
17 each [~~complex-area~~] district shall offer computer science
18 courses or computer science content."

19 2. By amending subsection (e) to read:

20 "(e) By October 31, 2025, and by each October 31
21 thereafter, the superintendent shall submit to the board and



1 legislature a report of the computer science courses and
2 computer science content offered during the previous school year
3 at the schools in each [~~complex area~~] district. The report
4 shall include:

- 5 (1) The names and course codes of the computer science
6 courses offered at each school;
- 7 (2) The number and percentage of students enrolled in each
8 computer science course and computer science content,
9 disaggregated by:
- 10 (A) Gender;
- 11 (B) Race and ethnicity;
- 12 (C) Special education status, including students
13 eligible for special education under the federal
14 Individuals with Disabilities Education Act, as
15 amended, or section 504 of the federal
16 Rehabilitation Act of 1973, as amended;
- 17 (D) English language learner status;
- 18 (E) Eligibility for the free and reduced price lunch
19 program; and
- 20 (F) Grade level;



1 provided that if a category contains one to five
2 students, or contains an amount that would allow the
3 amount of another category that contains one to five
4 students to be determined, the number of students
5 shall be replaced with a symbol indicating that one to
6 five students fulfilled that particular category;

7 (3) The names and course codes of the courses containing
8 computer science content and a description of the
9 computer science standards and content that are
10 covered by those courses; and

11 (4) The number of computer science instructors at each
12 school, disaggregated by:

13 (A) Any applicable certification;

14 (B) Gender;

15 (C) Race and ethnicity; and

16 (D) Highest academic degree earned."

17 SECTION 9. Section 302A-438, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§302A-438 Facilities, service, when required.** Where one
20 or more exceptional children are found in any one [~~complex area~~]
21 district superintendent's [~~district,~~] area, the superintendent



1 of education shall provide instruction, special facilities, and
2 special services according to the specifications of sections
3 302A-436 to 302A-443 in a manner most expedient and economical."

4 SECTION 10. Section 302A-499, Hawaii Revised Statutes, is
5 amended as follows:

6 1. By amending the definition of "covered information" to
7 read:

8 ""Covered information" means personally identifiable
9 information or material, or information that is linked to
10 personally identifiable information or material, in any media or
11 format that is not publicly available and is:

12 (1) Created by or provided to an operator by a student, or
13 the student's parent or legal guardian, in the course
14 of the student's, parent's, or legal guardian's use of
15 the operator's site, service, or application for K-12
16 school purposes;

17 (2) Created by or provided to an operator by an employee
18 or agent of a K-12 school or [~~complex~~] district for
19 K-12 school purposes; or

20 (3) Gathered by an operator through the operation of its
21 site, service, or application for K-12 school purposes



1 and personally identifies a student, including
2 information in the student's educational record or
3 electronic mail, first and last name, home address,
4 telephone number, electronic mail address, or other
5 information that allows physical or online contact,
6 discipline records, test results, special education
7 data, juvenile dependency records, grades,
8 evaluations, criminal records, medical records, health
9 records, social security number, biometric
10 information, disabilities, socioeconomic information,
11 food purchases, political affiliations, religious
12 information, text messages, documents, student
13 identifiers, search activity, photos, voice
14 recordings, or geolocation information."

15 2. By amending the definition of "K-12 school purposes" to
16 read:

17 ""K-12 school purposes" means purposes that are directed by
18 or that customarily take place at the direction of a K-12
19 school, teacher, or [~~complex area~~] district superintendent or
20 that aid in the administration of school activities, including
21 instruction in the classroom or at home, administrative



1 activities, and collaboration between students, school
2 personnel, parents or legal guardians, or are otherwise for the
3 use and benefit of the school."

4 SECTION 11. Section 302A-500, Hawaii Revised Statutes, is
5 amended by amending subsections (b) and (c) to read as follows:

6 "(b) An operator shall:

7 (1) Implement and maintain reasonable security procedures
8 and practices appropriate to the nature of the covered
9 information designed to protect that covered
10 information from unauthorized access, destruction,
11 use, modification, or disclosure; and

12 (2) Delete within a reasonable time period a student's
13 covered information if the K-12 school or [~~complex~~]
14 district requests deletion of covered information
15 under the control of the K-12 school or [~~complex~~]
16 district, unless a student or a student's parent or
17 guardian consents to the maintenance of the covered
18 information.

19 (c) An operator may use or disclose covered information of
20 a student under the following circumstances:



1 (1) If other provisions of federal or state law require
2 the operator to disclose the information and the
3 operator complies with the requirements of federal and
4 state law in protecting and disclosing that
5 information;

6 (2) For legitimate research purposes as required by state
7 or federal law and subject to the restrictions under
8 applicable state and federal law or as allowed by
9 state or federal law and under the direction of a K-12
10 school, [~~complex,~~] district, or the department, if
11 covered information is not used for advertising or to
12 amass a profile on the student for purposes other than
13 K-12 school purposes; or

14 (3) To a state or local educational agency, including K-12
15 schools and [~~complexes,~~] districts, for K-12 school
16 purposes, as permitted by state or federal law."

17 SECTION 12. Section 302A-604, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§302A-604** [~~Complex-area~~] **District superintendents**. The
20 superintendent of education, with the approval of the board,
21 shall appoint [~~complex-area~~] district superintendents [~~for~~



1 ~~schools.] pursuant to the districts established in section~~
 2 302A- . The ~~[complex-area]~~ district superintendents shall
 3 supervise the delivery of administrative and instructional
 4 support services within their respective ~~[complex]~~ district
 5 areas, including:

- 6 (1) Personnel, fiscal, and facilities support;
- 7 (2) Monitoring of compliance with applicable state and
 8 federal laws;
- 9 (3) Curriculum development, student assessment, and staff
 10 development services; and
- 11 (4) Special education programs and special schools within
 12 the ~~[complex]~~ district area."

13 SECTION 13. Section 302A-621, Hawaii Revised Statutes, is
 14 amended to read as follows:

15 **"§302A-621 Salary; deputy superintendent, assistant**
 16 **superintendents, ~~[complex-area]~~ district superintendents~~[-]~~, and**
 17 **deputy district superintendents.** The salaries of the deputy
 18 superintendent, assistant superintendents, ~~[and complex-area]~~
 19 district superintendents, and deputy district superintendents,
 20 shall be set by the board; provided that the salaries of the
 21 deputy superintendent, assistant superintendents, ~~[and the~~



1 ~~complex area~~ district superintendents, and deputy district
2 superintendents shall not exceed the superintendent's salary."

3 SECTION 14. Section 302A-856, Hawaii Revised Statutes, is
4 amended by amending subsections (a) and (b) to read as follows:

5 "(a) The department, in collaboration with the department
6 of health, shall develop a mandatory youth suicide awareness and
7 prevention training program and a model risk referral protocol
8 for ~~complex areas~~ districts and charter schools based on the
9 department of health's existing suicide awareness and prevention
10 curriculum and materials, which shall be provided to teachers,
11 teacher assistants, administrators, and counselors.

12 (b) By September 15 of each year, each ~~complex area~~
13 district shall report to the department on prior school year
14 training prevention activities completed as described by this
15 section."

16 SECTION 15 Section 302A-1004, Hawaii Revised Statutes, is
17 amended as follows:

18 1. By amending subsections (a) through (c) to read:

19 "(a) The department shall implement a comprehensive system
20 of educational accountability to motivate and support the
21 improved performance of students and the education system. Data



1 shall be reported as required by this section when the number of
2 students in a particular data subgroup is greater than ten and
3 shall be redacted when the number of students in a particular
4 data subgroup is ten or fewer; provided that the personally
5 identifiable information of each student shall be kept private.

6 This accountability system shall:

- 7 (1) Include student accountability; school or collective
8 accountability; individual professional accountability
9 for teachers, principals, and other employees; and
10 public accounting to parents, community members,
11 businesses, higher education, media, and political
12 leadership;
- 13 (2) Link authority and resources to responsibility;
- 14 (3) Define clear roles for all parties and lines of
15 responsibility and mutual obligation and develop a
16 collaborative process with stakeholders, including
17 representatives of appropriate bargaining units,
18 parents, administration, and students;
- 19 (4) Assess and track measures of academic achievement,
20 safety and well-being, and civic responsibility of
21 individual students at selected grade levels, and



1 annually report trend data from the past three years
2 on these measures;

3 (5) Invoke a full and balanced set of appropriate
4 consequences for observed performance, including
5 rewards and recognition for those schools that meet or
6 exceed their goals, assistance to those that fall
7 short, and sanctions for those that, given adequate
8 assistance and ample time, continue to fail to meet
9 goals;

10 (6) Involve an annual statewide assessment program that
11 provides a report card containing trend data from the
12 past three years on school, [~~school complex,~~
13 district, and system performance at selected benchmark
14 grade levels with performance indicators in areas
15 relating to student achievement, safety and well-
16 being, and civic responsibility. These performance
17 indicators shall include but not be limited to:

18 (A) Student performance relative to statewide content
19 and performance standards;

20 (B) School attendance and dropout rates; and



1 (C) Student discipline, seclusion, and restraint
2 information, in total and by unduplicated counts,
3 disaggregated by subgroups consisting of race,
4 including by Asian subgroup; ethnicity; national
5 origin; gender; sex; English learner status; low-
6 income status; students whose achievement is
7 below grade level for the school year on literacy
8 benchmark assessments, math benchmark
9 assessments, or end-of-course assessments; and
10 disability status based upon an individualized
11 education program or upon section 504 of the
12 Rehabilitation Act of 1973 (29 U.S.C. 794),
13 including but not limited to the following:
14 (i) In-school suspensions;
15 (ii) Out-of-school suspensions of one day or
16 less; of two to five days; of six to nine
17 days; of ten to twenty days; and of twenty-
18 one or more days;
19 (iii) Expulsions;
20 (iv) Removals to an alternative education setting
21 by school personnel;



- 1 (v) School-related arrests;
- 2 (vi) Referrals to law enforcement authorities;
- 3 (vii) Withdrawals for other reasons;
- 4 (viii) Number of parent or guardian-initiated
- 5 withdrawals under section 302A-1132;
- 6 (ix) Number of school resource officers, either
- 7 full-time or part-time, and the number of
- 8 hours assigned to the school per week; and
- 9 (x) Other data that the board may approve;
- 10 (7) Require that teachers and administrators engage in the
- 11 continuous professional growth and development that
- 12 ensure their currency with respect to disciplinary
- 13 content, leadership skill, knowledge, or pedagogical
- 14 skill, as appropriate to their position. This
- 15 requirement may be established by the department in
- 16 terms of credit hours earned or their equivalent in
- 17 professional development activity certified by the
- 18 department as appropriate in focus and rigor;
- 19 (8) Establish an explicit link between professional
- 20 evaluation results and individual accountability
- 21 through professional development of the knowledge,



1 skill, and professional behavior necessary to the
2 position, by requiring that results of the
3 professional evaluation be used by the department to
4 prescribe professional development focus and content,
5 as appropriate;

6 (9) Include an annual statewide fiscal accountability
7 program, which includes a published report card that
8 contains trend data on school, [~~school-complex,~~
9 district, and systemwide plans and results, including:

10 (A) Amounts allocated;

11 (B) Amounts expended;

12 (C) Amounts carried over; and

13 (D) Any significant changes to the budget, with an
14 explanation for the change; and

15 (10) Include an evaluation of the effectiveness of [~~complex~~
16 ~~area~~] district superintendents and principals in
17 supporting:

18 (A) Students' academic achievement, safety and well-
19 being, and civic responsibility; and

20 (B) The satisfaction of stakeholders affected by the
21 work of the [~~complex-area~~] district



- 1 superintendents and principals, which may be
2 measured by broad-based surveys; and
3 (C) Fiscal accountability.
- 4 (b) The department shall annually post on the department's
5 website:
- 6 (1) Information on the specifics of the implementation of
7 the comprehensive accountability system;
- 8 (2) Information on the fiscal requirements and legislative
9 actions necessary to maintain and improve the
10 accountability system; and
- 11 (3) Data collected pursuant to subsection (a)(6)(C) on
12 student discipline, as follows:
- 13 (A) The total number of students enrolled in the
14 State by [~~complex,~~ district, school, and
15 subgroup;
- 16 (B) The percentage of the school, [~~complex,~~
17 district, and State's total enrollment that the
18 subgroup represents;
- 19 (C) The number of students who appear in more than
20 one subgroup;



1 (D) The disciplinary rate for each discipline measure
2 described in subsection (a)(6)(C), based on the
3 total student enrollment in each school and each
4 ~~[complex,]~~ district;

5 (E) The disciplinary rate for each discipline measure
6 described in subsection (a)(6)(C) with respect to
7 each subgroup; and

8 (F) The rate of disciplinary disparity for each
9 discipline measure described in subsection
10 (a)(6)(C), with respect to each subgroup, as
11 compared with the subgroup with the lowest
12 disciplinary rate.

13 (c) The department shall also annually post on its website
14 a state-, ~~[complex,]~~ district-, and school-level report for
15 each school that details the past three years and includes an
16 analysis of any disproportionality among student subgroups using
17 the performance indicators in subsection (a)(6). Each report
18 shall be uniformly formatted and designed by the department so
19 as to provide school-based users and the public with all
20 pertinent information. Report data shall be downloadable in raw
21 form. Report information shall include:



- 1 (1) Results of school-by-school assessments of educational
- 2 outcomes;
- 3 (2) Summaries of each school's standards implementation
- 4 design;
- 5 (3) Summary descriptions of the demographic makeup of the
- 6 schools, with indications of the range of these
- 7 conditions among schools within Hawaii;
- 8 (4) Comparisons of conditions affecting Hawaii's schools
- 9 with the conditions of schools in other states;
- 10 (5) Other assessments deemed appropriate by the board;
- 11 (6) Student discipline, seclusion, and restraint
- 12 information by school, as required by this section;
- 13 and
- 14 (7) Any other reports required by this section."
- 15 2. By amending subsection (f) to read:
- 16 "(f) The department shall:
- 17 (1) Annually submit a report to the board and to the
- 18 legislature, as follows:
- 19 (A) The report shall identify discipline-related
- 20 strategies, alternatives, and resources available



1 to schools and [~~complexes,~~] districts, and shall
2 include the following:

3 (i) Student discipline, seclusion, and restraint
4 data collected pursuant to subsection
5 (a) (6) (C);

6 (ii) Data collected in accordance with the data
7 elements shown in the United States
8 Department of Education's 2015-2016 civil
9 rights data collection relating to school
10 finance, teacher experience and absenteeism,
11 all early childhood education items,
12 advanced placement test-taking items,
13 references to gender identity in the
14 definition of "harassment on the basis of
15 sex", number of English language learner
16 students enrolled in English language
17 programs by disability status, participation
18 in credit recovery programs, and any civil
19 rights concerns or complaints from children
20 with disabilities placed by school districts
21 in nonpublic schools; and



- 1 (iii) Information regarding staffing and contact
2 information for school- and [~~complex-level~~]
3 district-level equity specialists; and
- 4 (B) The report may include additional information, as
5 determined by the department, that would assist
6 in better understanding the disciplinary rate or
7 rate of disciplinary disparity of a particular
8 school or [~~complex~~] district;
- 9 (2) Track the progress made by schools and [~~complexes~~]
10 districts over the past three years in reducing the
11 disciplinary rates and rate of disciplinary disparity
12 that are referenced in subsection (b) (3) (D) through
13 (F);
- 14 (3) Assess the changes in student academic achievement and
15 absenteeism rates over the past three years that
16 correspond to any reduction in disciplinary rates and
17 rates of disciplinary disparity that are referenced in
18 subsection (b) (3) (D) through (F);
- 19 (4) Track the use of restraints over the past three years;
20 and



1 (5) Report annually to the board, and make public on its
2 website, the following:

3 (A) Changes in the use of discipline over the past
4 three years; and

5 (B) Information on the extent to which schools and
6 ~~[complexes]~~ districts are implementing evidence-
7 based strategies, including positive behavior
8 interventions, support systems, or restorative
9 justice."

10 SECTION 16. Section 302A-1004.5, Hawaii Revised Statutes,
11 is amended by amending its title and subsection (a) to read as
12 follows:

13 "[~~§~~§302A-1004.5] **Accurate data reporting.** (a) The
14 department shall establish a standardized data collection
15 process for schools and ~~[complex-areas]~~ districts to maintain
16 records and report data to the department. The department shall
17 implement a process to:

18 (1) Review the accuracy of data reported by schools and
19 ~~[complex-areas;]~~ districts;

20 (2) Coordinate with the state public charter school
21 commission regarding the collection, analysis, and



1 dissemination of this data from public charter
2 schools; and

3 (3) Analyze and publish the data collected."

4 SECTION 17. Section 302A-1005, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) Notwithstanding collective bargaining agreements,
7 memorandums of agreement, or memorandums of understanding, the
8 superintendent may reconstitute a public school, except a
9 charter school, that has been in restructuring under the No
10 Child Left Behind Act of 2001, Public Law 107-110, for four or
11 more school years and has not made significant advancements
12 toward improving academic performance as determined by a
13 statistical analysis of academic data; provided that the
14 following have been considered:

- 15 (1) Student proficiency in reading and math in the period
16 during which the school is in restructuring;
- 17 (2) Interventions and other programs being used by the
18 school to address student proficiency;
- 19 (3) The number of highly qualified or effective teachers
20 at the school;



- 1 (4) Professional development being conducted at the
2 school;
- 3 (5) Input from school faculty and staff, [~~complex~~]
4 district specialists, and state office program
5 specialists; and
- 6 (6) Input from the school community council;
- 7 provided further that the superintendent has made a
8 recommendation to the board to reconstitute the school, taking
9 into consideration the recommendation of the [~~complex-area~~]
10 district superintendent, if any."

11 SECTION 18. Section 302A-1124, Hawaii Revised Statutes, is
12 amended as follows:

13 1. By amending subsection (a) to read:

14 "(a) The department, through the board and its
15 superintendent, shall establish a school community council
16 system under which each public school, excluding charter
17 schools, shall create and maintain a school community council.
18 Each school community council shall:

- 19 (1) Review and evaluate the school's academic plan and
20 financial plan, and either recommend revisions of the
21 plans to the principal, or recommend the plans for



- 1 approval by the [~~complex-area~~] district
2 superintendent;
- 3 (2) Ensure that the school's academic and financial plans
4 are consistent with the educational accountability
5 system under section 302A-1004;
- 6 (3) Participate in principal selection and evaluation, and
7 transmit any [~~such~~] evaluations to the [~~complex-area~~]
8 district superintendent; provided that the school
9 community council's evaluation shall account for fifty
10 per cent of the overall evaluation in the selection of
11 a principal; provided further that the superintendent
12 of education shall have final authority to appoint a
13 principal; and
- 14 (4) Provide collaborative opportunities for input and
15 consultation."
- 16 2. By amending subsection (c) to read:
- 17 "(c) [~~Complex-area~~] District superintendents may require
18 revisions to a school's academic and financial plans if the
19 plans are in violation of law or conflict with statewide
20 educational policies and standards, or are otherwise in the best
21 interests of the school."



1 3. By amending subsections (g) and (h) to read:

2 "(g) The principal shall have the authority to set aside
3 any decision made by the school community council if the
4 principal determines it to be in the best interests of the
5 school; provided that the principal notifies the school
6 community council. If the school community council opposes a
7 decision of the principal, an appeal shall first be brought to
8 the [~~complex area~~] district superintendent for resolution and,
9 if necessary, to the superintendent and, finally, to the board
10 of education.

11 (h) [~~Complex area~~] District superintendents shall assist
12 the school community councils and principals within their
13 respective [~~complex areas~~] districts in:

- 14 (1) Obtaining the support and services of the department;
15 and
16 (2) Ensuring the progress and success of the school's
17 academic and financial plan."

18 SECTION 19. Section 302A-1134, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) If for any reason a child becomes a detriment to the
21 morals or discipline of any school, the child may be precluded



1 from attending school by the principal, with the approval of the
2 [~~complex-area~~] district superintendent; provided that this
3 section shall not apply to children participating in the
4 executive office on early learning public prekindergarten
5 program pursuant to section 302L-7. The department shall seek
6 the active participation of other public and private agencies in
7 providing help to these children before and after they have left
8 school. An appeal may be taken on behalf of the child to the
9 superintendent of education within ten days from the date of
10 such action."

11 SECTION 20. Section 302A-1141.4, Hawaii Revised Statutes,
12 is amended by amending subsection (h) to read as follows:

13 "(h) No less than annually, there shall be a review of
14 data on students at each public school who were restrained,
15 which shall be conducted as directed by each [~~complex-area~~]
16 district superintendent. The review shall determine whether:

- 17 (1) There are strategies in place to address the students
18 with dangerous behaviors at issue;
- 19 (2) The strategies in place are effective in increasing
20 appropriate behaviors of students with dangerous
21 behaviors; and



1 (3) New strategies need to be developed or current
2 strategies need to be revised or changed to prevent
3 the reoccurrence of dangerous behaviors.

4 Patterns and trends in the data that are identified by the
5 review shall be reported to the department."

6 SECTION 21. Section 302A-1153, Hawaii Revised Statutes, is
7 amended by amending subsections (d) and (e) to read as follows:

8 "(d) At the conference, the principal of the school in
9 which the vandalism occurred shall present the findings of the
10 investigation and the requirements of restitution to the pupil
11 and parents or guardian.

12 If the pupil and the parents or guardian agree with the
13 findings of the principal and the manner in which restitution is
14 to be made, the principal and the pupil and parent or guardian
15 shall execute a written agreement which shall specify the manner
16 in which restitution is to be made.

17 Agreements shall be made only for damages that do not
18 exceed \$3,500.

19 If restitution is made in this fashion, then no information
20 about the investigation, conference, and the actions taken shall



1 be communicated to any person not directly involved in the
2 proceedings.

3 If the pupil and parent or guardian do not agree with the
4 findings made by the principal, the principal shall report the
5 findings, including all the records and documents regarding the
6 investigation and conference, to the [~~complex-area~~] district
7 superintendent, who shall review the findings and may refer the
8 matter to the attorney general for any further action pursuant
9 to section 577-3.

10 (e) If the damages exceed \$3,500, the principal shall
11 report the matter the [~~complex-area~~] district superintendent,
12 who shall refer the matter to the attorney general for any
13 further action pursuant to section 577-3."

14 SECTION 22. Section 302A-1503, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "(a) The department may accept donations of school
17 equipment or fixtures on behalf of the department, individual
18 schools, or [~~school-complexes.~~] districts. Donations that meet
19 current educational specifications or exceed existing
20 educational specifications shall be deemed acceptable in
21 instances where the donations enhance the school environment or



1 improve the administration of school programs in accordance with
2 criteria established by the department pursuant to chapter 91."

3 SECTION 23. Section 302A-1604, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

5 "(b) Prior to the designation of a school impact district,
6 the authority shall prepare a written analysis that contains the
7 following:

8 (1) A map and legend describing the boundaries of the
9 proposed school impact district area, which may range
10 from one school to one or more [~~high school~~
11 ~~complexes,~~] districts, as well as maps and legends
12 describing surrounding districts and school
13 enrollments at existing school facilities in and
14 around the school impact district;

15 (2) The need to construct new or expand existing school
16 facilities in the proposed school impact district area
17 within the next twenty-five years to accommodate
18 projected growth in the area based on various state
19 and county land use, demographics, growth, density,
20 and other applicable historical data projections and
21 plans;



- 1 (3) An analysis to determine appropriate student
2 generation rates by dwelling unit type for all new
3 residential developments in the school impact district
4 area to provide the basis for determining the steady
5 state enrollment generated by new residential
6 developments that will need to be accommodated. The
7 analysis shall also consider enrollment at existing
8 school facilities, in and around the school impact
9 district;
- 10 (4) Student generation rates, based on full build-out of
11 the developments when student generation rates are
12 anticipated to be in a steady state mode;
- 13 (5) An analysis to estimate the number of students
14 generated by all new residential developments in the
15 school impact district at the point in time when the
16 total enrollment from these developments is
17 anticipated to peak. This information is required for
18 or related to the determination of the impact fee, and
19 will provide the basis for determining the maximum
20 enrollment generated by new residential developments



- 1 that will need to be accommodated in both permanent
2 facilities and portable buildings;
- 3 (6) Calculation of the current statewide level of service;
- 4 (7) An analysis of appropriate school land area, or other
5 appropriate state lands, and enrollment capacity,
6 which may include nontraditional (i.e., mid-rise or
7 high-rise structures) facilities to accommodate the
8 need for public school facilities in high-growth areas
9 within existing urban developments;
- 10 (8) A statewide classroom use report, which shall include
11 the following:
- 12 (A) Current design enrollment per school (i.e.,
13 maximum number of students per classroom per
14 school);
- 15 (B) Current total student enrollment per school; and
- 16 (C) Current number of classrooms not being used for
17 active teaching; and
- 18 (9) An analysis including the advantages and disadvantages
19 of making more efficient use of existing or underused
20 assets in the school impact district through school
21 redistricting.



1 The analyses specified in paragraphs (3) and (6) shall be
2 periodically updated pursuant to section 302A-1612(b)."

3 SECTION 24. Section 302L-7, Hawaii Revised Statutes, is
4 amended by amending subsection (1) to read as follows:

5 "(1) Each school participating in the program shall work
6 with the office to develop and annually update a written two- to
7 three-year plan to promote, within the school and community,
8 alignment of and transitions between high-quality learning
9 experiences, and submit to the office and the appropriate
10 [~~complex area~~] district superintendent a report on progress made
11 toward the plan by the end of each school year."

12 SECTION 25. Section 305J-3, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) This chapter shall not apply to:

15 (1) Schools or educational programs conducted by firms,
16 corporations, or persons for the training of their own
17 employees;

18 (2) Apprenticeship or other training programs provided by
19 labor unions to union members or applicants for union
20 membership;



- 1 (3) Schools or educational programs that provide courses
2 of instruction that do not lead to the conferring of a
3 degree;
- 4 (4) Schools or educational programs that offer seminars,
5 refresher courses, and programs of instruction
6 sponsored by professional, business, or farming
7 organizations or associations for their members or the
8 employees of their members;
- 9 (5) Schools or educational programs that offer courses of
10 instruction conducted by public school [~~complex~~
11 ~~areas~~] districts;
- 12 (6) Schools, courses of instruction, or courses of
13 training that are offered by a vendor or the purchaser
14 or prospective purchaser of the vendor's product when
15 the objective of the school or course is to enable the
16 purchaser or the purchaser's employees to gain the
17 skills and knowledge necessary to use the product;
- 18 (7) Schools and educational programs conducted by
19 religious entities that are owned, controlled,
20 operated, and maintained by a religious organization
21 lawfully operating as a nonprofit religious



1 corporation and that award only religious degrees or
 2 certificates, including but not limited to a
 3 certificate of Talmudic studies, an associate of
 4 Biblical studies, a bachelor of religious studies, a
 5 master of divinity, or a doctor of divinity;

6 (8) Non-degree-granting post-secondary educational
 7 institutions licensed by any entity of the State or
 8 governed by any other chapter of the Hawaii Revised
 9 Statutes;

10 (9) Schools and educational programs that offer courses of
 11 instruction exclusively through online and distance
 12 education; and

13 (10) Unaccredited post-secondary educational institutions
 14 governed by chapter 446E."

15 SECTION 26. Section 311D-2, Hawaii Revised Statutes, is
 16 amended to read as follows:

17 "[~~§~~§311D-2~~§~~] **State council.** There is established within
 18 the board of education for administrative purposes the state
 19 council on educational opportunity for military children. The
 20 board of education shall establish the state council, as



1 required by article VIII of the compact. The membership of the
2 state council shall include, at a minimum:

- 3 (1) The superintendent of education or the
4 superintendent's designee;
- 5 (2) The [~~complex area~~] superintendents of the
6 administrative districts that contain [~~the~~] Leilehua,
7 Radford/Moanalua, and Kalaheo school [~~complexes~~];
- 8 (3) A [~~complex area~~] superintendent from the Leeward
9 district;
- 10 (4) The military liaison from the department of education;
- 11 (5) A uniformed military representative from the United
12 States Pacific Command;
- 13 (6) One installation-level uniformed military
14 representative from each branch of service of the Air
15 Force, Army, Marine Corps, Navy, and Coast Guard;
- 16 (7) The governor or the governor's designee;
- 17 (8) The chairperson of the senate education committee or
18 the chairperson's designee;
- 19 (9) The chairperson of the house education committee or
20 the chairperson's designee; and



1 (10) Other offices and stakeholder groups the state council
2 deems necessary.

3 Members of the state council may delegate voting authority to
4 another person for a specified meeting or meetings. The state
5 council shall appoint or designate a military family education
6 liaison to assist military families and the state in
7 facilitating the implementation of this compact. The compact
8 commissioner and the military family education liaison
9 designated herein shall be ex-officio members of the state
10 council, unless either is already a full voting member of the
11 state council.

12 The council shall establish policies and procedures
13 governing its operations but subject to the open meeting
14 requirements of chapter 92."

15 SECTION 27. Section 368D-4, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "[~~§~~368D-4~~§~~] **Annual report to legislature.** No later
18 than September 1 of each year, the [~~University~~] university of
19 Hawaii, department of education, and state public charter school
20 commission shall submit to the legislature a report that



1 includes information pertaining to the immediately preceding
2 school year, as follows:

3 (1) The [~~University~~] university of Hawaii shall include in
4 its report to the legislature:

5 (A) The total number of complaints alleging a
6 violation of this chapter or Title IX that were
7 received by the university, and the number of
8 complaints received in each of the following
9 categories:

10 (i) The number of complaints received at each
11 campus of the university;

12 (ii) The types of complaints, including but not
13 limited to sexual harassment, gender-based
14 harassment, sexual assault, domestic
15 violence, or stalking; and

16 (iii) The number of confidential complaints,
17 informal complaints, and formal complaints,
18 as applicable;

19 (B) Of the total number of complaints for each campus
20 reported under subparagraph (A), the number of
21 complaints involving:



- 1 (i) A student complainant and a student
- 2 respondent;
- 3 (ii) A student complainant and an employee
- 4 respondent;
- 5 (iii) An employee complainant and an employee
- 6 respondent; and
- 7 (iv) An employee complainant and a student
- 8 respondent;
- 9 (C) Of the total number of complaints for each campus
- 10 reported under subparagraph (A), the number of
- 11 complaints in which:
- 12 (i) An investigation was commenced but a
- 13 decision has not yet been rendered;
- 14 (ii) An investigation was completed and a
- 15 decision was rendered; and
- 16 (iii) A party has filed an appeal, and the appeal
- 17 is pending;
- 18 (D) The percentage of employees at each campus of the
- 19 university who have completed a training course
- 20 on the university's Title IX policies and
- 21 procedures, and on any other policies and



1 procedures adopted by the university in
2 accordance with this chapter; and
3 (E) The percentage of students enrolled at each
4 campus of the university who have completed a
5 training course on the university's Title IX
6 policies and procedures, and on any other
7 policies and procedures adopted by the university
8 in accordance with this chapter; and
9 (2) The department of education and the state public
10 charter school commission shall include in their
11 respective reports to the legislature:
12 (A) The total number of complaints alleging a
13 violation of this chapter or Title IX that were
14 received by the department of education or public
15 charter school, as applicable, and the number of
16 complaints received in each of the following
17 categories:
18 (i) The number of complaints received at each
19 department of education [~~complex area~~]
20 district or public charter school, as
21 applicable; and



- 1 (ii) The types of complaints, including but not
2 limited to sexual harassment, gender-based
3 harassment, sexual assault, domestic
4 violence, or stalking;
- 5 (B) Of the total number of complaints reported under
6 subparagraph (A) for each department of education
7 [~~complex area~~] district or public charter school,
8 as applicable, the number of complaints
9 involving:
- 10 (i) A student complainant and a student
11 respondent;
- 12 (ii) A student complainant and an employee
13 respondent;
- 14 (iii) An employee complainant and an employee
15 respondent; and
- 16 (iv) An employee complainant and a student
17 respondent;
- 18 (C) Of the total number of complaints reported under
19 subparagraph (A) for each department of education
20 [~~complex area~~] district or public charter school,
21 as applicable, the number of complaints in which:



1 (i) An investigation was commenced but a
2 decision has not yet been rendered;
3 (ii) An investigation was completed and a
4 decision was rendered; and
5 (iii) A party has filed an appeal, and the appeal
6 is pending; and
7 (D) For the department of education or a public
8 charter school, the percentage of teachers,
9 counselors, principals, and vice-principals,
10 disaggregated by [~~complex-area~~] district or
11 public charter school, as applicable, who have
12 completed a training course on the department or
13 public charter school's Title IX policies and
14 procedures, and on any other policies and
15 procedures adopted by the department or public
16 charter school in accordance with this chapter;
17 provided that all public charter schools shall submit
18 the information required under this section to the
19 state public charter school commission, in a form
20 prescribed by the commission, no later than August 1
21 of each year."



1 SECTION 28. The department of education shall adopt rules
2 pursuant to chapter 91, Hawaii Revised Statutes, as necessary to
3 carry out the purposes of this Act.

4 SECTION 29. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 30. This Act shall take effect upon its approval.



Report Title:

DOE; Complex Areas; Repeal; Districts; District Superintendents;
Deputy District Superintendents; Performance Evaluations;
Principal Selection; School Community Council; Rules

Description:

Reestablishes the organizational structure of the Department of Education by repealing complex areas and establishing an unspecified number of districts across the State. Repeals the position of Complex Area Superintendent and establishes the positions of District Superintendent for Academics and Deputy District Superintendents who are required to undergo annual performance evaluations. Clarifies that School Community Councils shall submit principal evaluations to the Superintendent of Education, who shall have final authority to appoint a principal. Requires the Department of Education to adopt rules. Makes conforming amendments. (SD1)

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

