

## ACT 332

H.B. NO. 1748

A Bill for an Act Making an Appropriation for Public Education.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Act 366, Session Laws of Hawaii 1989, established the policies of the school/community-based management (SCBM) system. SCBM provides for restructuring of the public schools, allowing for more educational decision-making at the school level, and thereby increasing the involvement of those directly affected by the decisions. By giving schools more autonomy and flexibility, allowing for more parental and community involvement in school decisions, and empowering the school community for shared decision-making, student achievement will be enhanced.

Due to the complex nature of Hawaii's centralized school system, implementation of SCBM will require coordination among various agencies and organizations. In order for SCBM to be effective in Hawaii's public schools, critical decisions must be made on a wide variety of issues.

One of the areas requiring examination is the governance system of Hawaii's public schools. Specifically, the issue of educational governance involves questions relating to: (1) the lines and scope of decision-making authority among the board of education, department of education, the legislature, the governor, other government agencies, the collective bargaining process, districts, schools, and other parties; and (2) the need to restructure and reorganize the system in order to further advance the implementation of the concept of SCBM and school decentralization.

The purpose of this Act is to appropriate funds to:

- (1) Plan and conduct public forums that provide opportunities for discussion and debate on governance of public education in Hawaii; and
- (2) Establish and provide assistance to a blue ribbon task force to examine the roles of the governor, the legislature, the board of education, district school advisory councils, and any other agencies, departments, or organizations dealing with the educational system.

SECTION 2. There is established within the department of education for

administrative purposes only, a task force to examine the issue of governance in Hawaii's public school system. The task force shall consist of fifteen members appointed in the following fashion:

- (1) The speaker of the house and the senate president shall jointly appoint five members as follows:
    - (A) The speaker of the house, or a designee;
    - (B) The senate president, or a designee;
    - (C) A representative of the general community or the business community;
    - (D) A parent with a child in the public education system; and
    - (E) A professional educator;
  - (2) The governor shall appoint five members as follows:
    - (A) The governor or the governor's designee;
    - (B) A member of the school advisory council;
    - (C) A representative of the general community or the business community;
    - (D) A parent with a child in the public education system; and
    - (E) A professional educator;
- and
- (3) The board of education shall appoint five members as follows:
    - (A) A member of the board of education or a designee;
    - (B) A public school student;
    - (C) A representative of the general community or the business community;
    - (D) A parent with a child in the public education system; and
    - (E) A professional educator.

To the extent possible, the appointing agents shall seek to provide the broadest possible base of representation in their appointments. At least one member of the task force shall be a resident of each of the counties. The members of the task force shall not receive compensation for their services, but shall be reimbursed for necessary expenses, including travel expenses, incurred in the performance of their duties under this Act. All appointments to the task force shall be made by July 15, 1991.

**SECTION 3.** The task force shall conduct public information-gathering meetings across the State to solicit input and promote debate and discussion on the issue of governance of the public school system. In addition to conducting forums and meetings on governance, the task force shall also examine the roles and relationships of the department of education, board of education, department of accounting and general services, department of budget and finance, district school advisory councils, school community councils, the legislature, governor's office, and any other agencies, departments, or organizations dealing with the educational system.

The task force shall develop mechanisms and procedures for ensuring public discussion on this issue at the grassroots level. The task force shall coordinate with public school parent groups in planning and conducting the public forums.

The department of education shall provide assistance to the task force upon request.

The task force may receive and expend donations of money in order to implement the purposes of this Act. Any donations of money received by the task force shall be deposited into a separate trust account established by the department of education, at a local federally insured bank or a local trust company.

## **ACT 332**

Upon dissolution of the task force, all unexpended funds shall be deposited into the department of education's budget.

The task force shall submit a report of its findings and recommendations to the legislature at least twenty days prior to the convening of the 1992 regular session. The task force shall cease to operate on June 30, 1992.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000, or so much thereof as may be necessary for fiscal year 1991-1992, to carry out the purposes of this Act.

The sum appropriated shall be expended by the department of education.

SECTION 5. This Act shall take effect upon its approval, except that section 4 shall take effect on July 1, 1991.

(Approved July 8, 1991.)