

ACT 235

H.B. NO. 1874

A Bill for an Act Relating to Educational Accountability.

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

SECTION 1. The legislature finds that an accountability system involving the process of accepting responsibility and being answerable for one's actions, should motivate and support improved performance. An effective accountability system clearly:

- (1) Links authority and adequate resources to responsibility;
- (2) Defines clear lines of responsibility and mutual obligation; and
- (3) Requires continuous inspection of how well our system and our schools are supporting student attainment of statewide standards.

This inspection should lead to recommendations and actions in a continuous improvement cycle.

The legislature further finds that those most responsible for the success of our public education system are the board of education and the superintendent of education, and therefore, they should be held most accountable for educational outcomes. However, because Hawaii maintains a statewide school system, responsibility for various support functions for our public education system are assigned to myriad state agencies. The legislature further finds that among these agencies, there are competing goals and objectives that can impede the efficiency and effectiveness of our public schools. It is necessary, therefore, to review various agency functions and identify those which may be impeding educational success and achievement of statewide standards.

Thus, the purpose of this Act is to establish an interagency educational accountability working group to review statutes and agency administrative rules, policies, procedures, and practices and recommend these for temporary suspension by the appropriate agencies to support measures for improved educational accountability.

SECTION 2. (a) There is established within the department of education, an interagency educational accountability working group. Specifically, the working group shall:

- (1) Review all pertinent statutes, agency rules, policies, procedures, and practices to identify those which are impeding educational system restructuring and reallocation and effective use of educational resources;
 - (2) Based on the review required in paragraph (1), enumerate and report to the board of education, governor, and legislature any statutes, rules, policies, procedures, and practices identified as needing suspension to allow the department of education to restructure and reallocate its resources to support student achievement; and
 - (3) Submit an annual report to the 2001 and 2002 regular sessions of the legislature regarding the progress of the working group and any legislative actions necessary to support the reorganization, reallocation, and effective use of educational resources.
- (b) The interagency working group shall be composed of:
- (1) The governor or the governor's designee;
 - (2) The chair of the board of education or the chair's designee;
 - (3) The director of accounting and general services or the director's designee;
 - (4) The attorney general or the attorney general's designee;
 - (5) The director of budget and finance or the director's designee;
 - (6) The superintendent of education or the superintendent's designee;
 - (7) The director of health or the director's designee;
 - (8) The director of human resources development or the director's designee;
 - (9) The director of labor and industrial relations or the director's designee; and
 - (10) One representative each from the Hawaii State Teachers' Association, the Hawaii Government Employees' Association, the United Public Workers Local 646, and the Hawaii State Parents, Teachers and Students Association.

(c) The chair of the working group shall be the superintendent of education, as the chief executive officer of the public school system. The working group shall convene on a regular basis, and shall focus its initial efforts on identifying statutes, agency rules, policies, procedures, and practices specifically in the areas of financial and human resource allocation and management and their effect on educational resources. The working group shall develop a list of the statutes, rules, policies, procedures, and practices recommended for suspension by the appropriate agency, beginning with the 2001-2003 fiscal biennium.

SECTION 3. The working group shall submit, in a timely fashion, a status report to the board of education, which shall include a summary of its activities regarding the review of agency functions and identification of rules, policies, procedures, and practices recommended for suspension.

SECTION 4. The working group shall submit a status report to the legislature which shall include a summary of its activities regarding the review of agency functions and identification of statutes, rules, policies, procedures, and practices recommended for suspension no later than sixty days prior to the convening of the regular session of 2001. The working group shall submit a final report to the legislature that shall include a summary of the activities undertaken by the depart-

ment of education in response to the suspensions no later than sixty days prior to the convening of the regular session of 2002.

SECTION 5. This Act shall take effect upon its approval.

(Approved June 19, 2000.)