

EXECUTIVE CHAMBERS

HONOLULU

April 29, 2004

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 3238

Honorable Members,  
Twenty-second Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3238 entitled "A Bill for an Act Relating to Education."

This bill has been referred to as the "Reinventing Education Act of 2004."

After listening to the advice of people throughout the community and considering all the pros and cons, it became clear that I could not in good conscience place my stamp of approval on the "Reinventing Education Act of 2004." This bill contains too many flaws in its present form. While not wanting to paint the bill with too broad a brush, it does not reinvent education, it mainly protects the status quo, and in one case it makes matters much worse by increasing bureaucracy and reducing accountability.

Fortunately there is time to correct the most serious flaws in Senate Bill No. 3238.

I am, therefore, exercising what I call a "soft veto." I am asking the Legislature to develop new language that would create legislation we can all take pride in and regard as a step forward.

I realize we have to identify a vehicle for this new education bill. There are many to choose from, including possibly **House Bill No. 1176** which has been in conference since April 2003. I propose that we rename our joint effort the "**Bipartisan Education Reform Act of 2004.**"

Because we still have one week left in the regular session of 2004, the executive and legislative branches have time to come together to craft an education bill that will bring about meaningful education reform.

I am recommending in this statement of objections that the Legislature enact five changes to Senate Bill No. 3238 using the vehicle of House Bill No. 1176. They are simple to make, yet would result in significant improvements at our schools. These changes are:

- Give principals control over 70 percent of their operating budgets initially, but phase-in a plan that would allow them eventually to control 90 percent of funds. At first glance it may not appear there is much difference between giving principals 70 percent versus 90 percent of the money. But it will mean a world of difference in the classroom. That is because at 70 percent most of the spending is already predetermined since it goes to salaries and related items over which the principal has little or no control. It is only when principals are given authority for 90 percent or more of the funds at their schools that they truly gain the financial flexibility they need to make meaningful improvements.
- Empower principals, set standards for their performance, and hold them accountable. In business, in education, and in every social organization, leadership makes the difference. Individual teachers also make a difference. But it is the principals who can inspire, motivate, and lead their schools by example.
- Give charter schools their fair share of funding, for facilities as well as operations, so they can

provide instruction that is culturally appropriate for their communities. Charter schools have demonstrated that they can produce successful, self-confident students, even in the face of tremendous obstacles created by the Department of Education. Such schools are especially important for Hawaiian students, who suffer greatly under the Department of Education's one-size-fits-all system. It is time to give charter schools the resources and the support to excel.

- Instead of launching the "weighted student formula" in the 2006-07 school year, start this sensible funding plan a year earlier. Under this formula, money would be allocated based on the needs of individual students. There are successful models we can use from school systems elsewhere. Let us get on with the task now.
- Make the school community councils advisory in nature. That way, councils can offer their recommendations to principals without complicating the decision-making process or confusing who the public should hold accountable.

These five changes are incorporated in a proposed House Bill No. 1176 attached to this statement of objections.

It is important to note that I did not mention local school boards among my proposed changes. That does not mean I have abandoned this critical concept, for I have not.

I will continue to do everything possible to give the people an opportunity to vote on the issue of nonpartisan, locally elected school boards in the 2006 general election.

Education reform is not about us - it is about the children. The people of Hawaii know that and they want to see significant progress this session. If the Legislature makes the "five easy fixes" listed above, we will have a much better bill that will really advance the cause of student achievement through education reform.

Together, we have one last opportunity before the session ends to do what the people brought us here to do.

The education bill before me today does not really help our children in a systemic way. To let Senate Bill No. 3238 become law as is would mean we have squandered a chance to act in a bipartisan way to achieve real reform. And far worse, we would have deprived our children of the quality education they deserve.

I am recommending these five revisions on behalf of people all across our State who have watched many previous attempts to fix our schools and who should not settle for less than real education reform this time. While far from perfect, this modified legislation would move us ahead.

Someone once asked Thomas Edison if he got discouraged when an invention did not turn out as planned. "I am not discouraged," he said, "because every wrong attempt discarded is another step forward." Let us discard what is wrong with Senate Bill No. 3238 and pass a law that truly moves us forward.

For the foregoing reasons, I am returning Senate Bill No. 3238 without my approval.

Respectfully,



LINDA LINGLE  
Governor of Hawaii