
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. (a) The legislature finds that smaller school
2 environments are of great advantage to teachers, students, and
3 parents. Hawaii has explored smaller learning communities in
4 the past by considering various reforms, including "turning
5 points" in 1989, "breaking ranks" in 1996, and approaching
6 interested foundations such as the Annenberg Foundation and the
7 Gates Foundation. However, Hawaii has not been able to
8 implement a system-wide smaller learning community initiative.

9 (b) The legislature also finds that research and
10 experience indicate that smaller schools enable teachers to
11 create more personalized relationships with students, leading to
12 learning opportunities based upon students' needs and interests.
13 Smaller schools provide an ideal environment for project-based
14 and place-based learning, ranging from class-based, teacher-
15 designed projects to whole school design.

16 (c) The legislature further finds that the department of
17 education, facilitated by various grants, has explored schools-



1 within-schools, but it has not created a major smaller learning
2 community initiative. In addition, Act 298, Session Laws of
3 Hawaii 2006, enacted the public charter schools law, codified as
4 chapter 302B, Hawaii Revised Statutes, which also does not
5 provide for smaller learning communities.

6 The department of education is considering the potential
7 cost savings of consolidating smaller schools. Cost savings
8 appear to be a higher priority than the research-documented
9 benefits of smaller learning communities. The legislature finds
10 that the cost savings approach to school consolidation is
11 irrational in the face of overwhelming evidence that smaller
12 schools are beneficial to students. Various authoritative
13 educational studies have found that students in smaller schools:

- 14 (1) Are more academically successful than those in larger
15 schools;
16 (2) Have higher graduation rates; and
17 (3) Are more likely to take advanced-level courses, and to
18 participate in extracurricular activities.

19 The purpose of this Act is to establish the framework and
20 criteria for the department of education to implement smaller
21 learning communities.



1 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 **"PART . SMALLER LEARNING COMMUNITIES**

5 **§302A-A Purpose.** The purpose of this part is to establish
6 smaller learning communities consisting of smaller schools.
7 Smaller learning communities greatly enhance the achievement of
8 students, including but not limited to, higher grades, test
9 scores, and college admissions, and enabling students to become
10 better prepared for the workplace.

11 **§302A-B Establishment of policy.** It shall be the policy
12 of the department to provide for the establishment of smaller
13 learning communities within existing schools or school
14 districts, which shall have priority over the cost savings of
15 consolidating or closing schools; provided that smaller schools
16 or schools-within-schools shall satisfy the requirements
17 provided under section 302A-C in order to establish or remain
18 part of a smaller learning community.

19 **§302A-C Smaller schools or schools-within-schools;**
20 **requirements.** (a) Smaller schools or schools-within-schools in
21 a smaller learning community shall:



- 1 (1) Select and operate under a school specialty status,
2 including magnet, academy, or other specialty;
 - 3 (2) Develop personalized plans for each student; and
 - 4 (3) Create and maintain portfolios for each student.
- 5 (b) Funds derived from shared facilities usage by smaller
6 schools or schools-within-schools in a smaller learning
7 community shall be used to augment funds allocated according to
8 the weighted student formula.

9 **§302A-D Guidelines.** The following guidelines shall apply
10 to achieve the establishment of smaller learning communities
11 through smaller schools:

- 12 (1) Cost savings or enrollment shall not be the priority
13 in closing or consolidating school facilities;
- 14 (2) Prior to closing or consolidating school facilities,
15 the department shall determine if there is a private
16 provider willing to build early childhood education
17 facilities, as provided in section 302A-1506.5;
- 18 (3) Prior to the sale of school lands, as provided under
19 section 302A-1151, the department shall determine if
20 the school land or building is suitable for other
21 educational purposes, including but not limited to,
22 establishment of a smaller learning community or an



1 early childhood education facility operated by a
2 private provider;

3 (4) Prior to closing a smaller school, the department
4 shall assist that school to become a conversion
5 charter school, as defined in section 302B-1;

6 (5) The department shall explore alternate methods of
7 realizing cost savings, in lieu of closing or
8 consolidating school facilities, including sharing of
9 administrative support and specialized teachers among
10 schools within the same district; and

11 (6) Prior to consolidation of school facilities, the
12 department shall obtain input of the parents and
13 faculty of an affected school.

14 **§302A-E Expansion of e-learning.** Each school district
15 shall develop a plan to expand its use of e-learning,
16 encompassing computer-enhanced learning, web-based teaching
17 materials, and virtual learning, to enhance and create more
18 personalized learning environments.

19 As used in this section, "virtual learning" means a managed
20 learning environment in which all aspects of a course are
21 handled through a consistent user interface standard throughout
22 the grade level."



1 SECTION 3. Section 302A-1151, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"[+]§302A-1151[+] Sale of school lands unnecessary for**
4 **school purposes.** The chairperson of the board of land and
5 natural resources [~~is hereby requested~~], upon the recommendation
6 and approval of the superintendent, [~~to~~] shall sell any state
7 lands, including the buildings thereon, once used but no longer
8 necessary for school purposes[+] and without the potential of
9 being used for other educational purposes."

10 SECTION 4. Section 302A-1506.5, Hawaii Revised Statutes,
11 is amended to read as follows:

12 **"[+]§302A-1506.5[+] Early childhood education facilities;**
13 **identifying sites[+]; closing or consolidation.** (a) The
14 department [~~of education~~] shall identify unused public school
15 facilities for use by early childhood education programs.
16 Suitable empty classrooms, as determined by the department,
17 shall be inventoried for potential use in early childhood
18 education programs. Priority shall be given to facilities on
19 sites with sufficient space for three or more classrooms to be
20 renovated or constructed.



1 (b) The department shall assist in the identification of
2 possible construction sites for private providers to build early
3 childhood education facilities.

4 (c) The department shall give priority to the application
5 of this section as a condition precedent to the closing or
6 consolidation of unused or underutilized school facilities."

7 SECTION 5. In codifying the new sections added by section
8 2 of this Act, the revisor of statutes shall substitute
9 appropriate section numbers for the letters used in designating
10 the new sections in this Act.

11 SECTION 6. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Education; Smaller Learning Communities

Description:

Provides for smaller learning communities in public schools. Prohibits the selling of school lands and buildings without consideration of using the land and buildings for small learning communities. Requires the department of education to give priority to establishing early childhood education learning facilities over closing or consolidating school facilities.
(SD1)

