

JAN 21 2010

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. The legislature finds that the furlough days
2 negotiated for the 2009-2010 and 2010-2011 school years are an
3 unacceptable solution to the budgetary shortfall. Although
4 other states face similar or worse budgetary situations, Hawaii
5 has become the state with the fewest number of days of classroom
6 instruction as a result of the furloughs. The legislature finds
7 that the establishment of a mandatory minimum number of days of
8 classroom instruction per school year, which many states have
9 already implemented, and a mandatory minimum number of hours of
10 instructional time per school day would be beneficial in raising
11 the standard of quality for education and would reflect a
12 commitment to quality education for Hawaii's children.

13 The legislature further finds that in light of the State's
14 fiscal condition and the resulting teacher furloughs, concerns
15 and questions about the management of the state and complex area
16 administration of the department of education and the
17 organization of the department of education warrant a management



1 audit of the state and complex area administration of the
2 department of education.

3 The purpose of this Act is to require all public schools to
4 implement a minimum of one hundred eighty days of classroom
5 instruction per school year, where each school day consists of
6 at least seven hours of instructional time, and to appropriate
7 funds for a management audit of the state and complex area
8 administration of the department of education.

9 SECTION 2. Chapter 89, Hawaii Revised Statutes, is amended
10 by adding a new section to be appropriately designated and to
11 read as follows:

12 "§89- Minimum number of classroom instructional days and
13 instructional hours. Notwithstanding any other law to the
14 contrary, beginning with the 2011-2012 school year, no
15 collective bargaining agreement shall contain provisions that
16 would:

- 17 (1) Shorten the school year for public school employees to
18 less than one hundred eighty days of classroom
19 instruction per school year; or
- 20 (2) Shorten the school day for public school employees to
21 include less than seven hours of instructional time
22 for students."



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

4 "§302A- Minimum number of classroom instructional days
5 and hours; public schools. Notwithstanding any other law to the
6 contrary, beginning with the 2011-2012 school year, all public
7 schools, including charter schools, shall implement a school
8 calendar that provides not less than one hundred eighty days of
9 classroom instruction per school year, where each school day
10 consists of at least seven hours of instructional time. The one
11 hundred eighty days of classroom instruction shall not include
12 state holidays provided by law, professional development days,
13 and other non-instructional days negotiated pursuant to
14 chapter 89."

15 SECTION 4. Chapter 302B, Hawaii Revised Statutes, is
16 amended by adding a new section to be appropriately designated
17 and to read as follows:

18 "§302B- Minimum number of classroom instructional days
19 and hours; charter schools. Notwithstanding any other law to
20 the contrary, beginning with the 2011-2012 school year, all
21 charter schools shall implement a school calendar that provides
22 not less than one hundred eighty days of classroom instruction



1 per school year, where each school day consists of at least
2 seven hours of instructional time. The one hundred eighty days
3 of classroom instruction shall not include state holidays
4 provided by law, professional development days, and other non-
5 instructional days negotiated pursuant to chapter 89 or
6 section 302B-9."

7 SECTION 5. The state auditor shall conduct a management
8 audit of the department of education's state and complex area
9 administration to make findings and recommendations including
10 but not limited to the following:

- 11 (1) The appropriate level of resources to be allocated to
12 the department of education's state and complex area
13 administration;
- 14 (2) A more appropriate organizational structure to
15 minimize the costs of the department of education's
16 operations and maximize the department of education's
17 efficiency in providing students with a quality
18 education; and
- 19 (3) Possible functions and responsibilities that may be
20 reallocated among complex areas or between state
21 administration and complex area administration.

1 SECTION 6. The auditor shall submit to the legislature
2 findings and recommendations, including any proposed
3 legislation, no later than twenty days prior to the convening of
4 the regular session of 2011.

5 SECTION 7. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2010-2011 for
8 purposes of sections 5 and 6 of this Act.

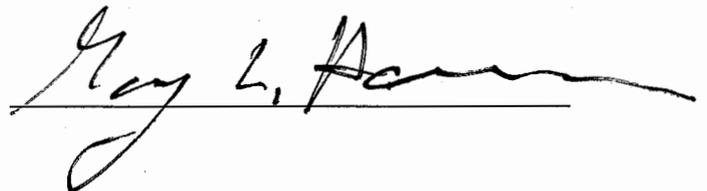
9 The sum appropriated shall be expended by the state auditor
10 for the purposes of this Act.

11 SECTION 8. New statutory material is underscored.

12 SECTION 9. This Act shall take effect upon its approval;
13 provided that section 7 shall take effect on July 1, 2010.

14

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Guy L. Fawn", is written over a horizontal line.

Report Title:

Education; Minimum School Days and Hours; DOE Management Audit; Appropriation

Description:

Beginning with the 2011-2012 school year, requires a minimum of one hundred eighty days per school year with at least seven instructional hours per day. Requires the state auditor to perform a management audit of the state and complex area administration of the department of education and report to the legislature. Appropriates funds to the auditor.

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

