

STAND. COM. REP. NO.

967

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 945
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 945, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to require:

- (1) Multi-track public schools to meet at least one hundred seventy-one days or ninety percent of the minimum number of days required of other non-charter public schools for each respective year, whichever number is greater, and at least ninety percent of the minimum number of student instructional hours required of other non-charter public schools for each respective school year; and
- (2) The Department of Education to submit to the Legislature a plan to implement a school year for multi-track public schools beginning with the 2015-2016 school year of no less than ninety percent of the minimum number of instructional days and hours required of other public schools.

Your Committee received testimony in support of this measure from the Department of Education; Department of Budget and Finance; Hawaii State Teachers Association; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee



received testimony in opposition to this measure from four individuals.

Your Committee finds that the Department of Education is facing significant fiscal limitations. The Department is anticipating a potential reduction in its budget of \$55,000,000 per year and is anticipating additional reductions as a result of the earthquake and tsunami in Japan. The additional work time required by Act 167, Session Laws of Hawaii 2010, will require additional funding for either compensation for more time spent in instruction or for additional teachers to provide additional instruction during a lengthened school day and year. The Department of Education estimates that implementation of Act 167 will cost approximately \$55,000,000. The Department of Budget and Finance confirms that the State currently does not have the fiscal capacity to implement Act 167.

After holding discussions with educational stakeholders, it is the intent of your Committee to provide the Department of Education additional time to address the financial and logistical requirements of implementing Act 167; provided that the Department report to the Legislature on its progress and efforts to meet the requirements of Act 167.

Your Committee has amended this measure by:

- (1) Removing the alternative student instructional time requirements for multi-track public schools in sections 1 and 2 of this measure;
- (2) Exempting multi-track public schools from Act 167;
- (3) Delaying the required increases and plan for increases in instructional time pursuant to section 302A-251, Hawaii Revised Statutes, and section 4 of Act 167;
- (4) Requiring the Department of Education to re-examine what constitutes student instructional hours, determine current levels of instructional hours at each school, and assess the ability of all schools to comply with the requirements of 302A-251, Hawaii Revised Statutes, and report its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2012; and



- (5) Requiring the Department of Education to submit to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2013, 2014, 2015, 2016, 2017, and 2018, a report on its progress and efforts to meet the requirements of section 302A-251, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 945, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 945, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Education,



JILL TOKUDA, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* HB 945 HD2	Committee Referral: EDU, WAM	Date: 3-23-11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne		/		
NISHIHARA, Clarence K.	/			
TANIGUCHI, Brian T.	/			
SLOM, Sam				/
TOTAL	4	1	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes