

Honolulu, Hawaii

FEB 18 2015

RE: S.B. No. 822
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Education and Judiciary and Labor, to which was referred S.B. No. 822 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require all public schools, excluding charter schools and multi-track public schools, to implement a school year that includes nine hundred ninety student hours in the 2015-2016 school year and all years thereafter;
- (2) Repeal the requirement that all public schools, excluding charter schools and multi-track public schools, implement a school year that includes one thousand eighty student instructional hours and one hundred eighty school days in the 2016-2018 school years; and
- (3) Clarify that the definition of "student instructional hours" shall be determined by the Board of Education in consultation with the exclusive representatives of the appropriate bargaining units.

Your Committees received testimony in support of this measure from the Hawaii Public Charter Schools Network, Hui for Excellence in Education, and one individual. Your Committees received testimony in opposition to this measure from the Hawaii State



Teachers Association, UNITE HERE Local 5, IMUAlliance, and forty-six individuals. Your Committees received comments on this measure from the Department of Education and three individuals.

Your Committees find that a defined number of required school days and hours is necessary to ensure that students across the state are receiving similar service throughout the public schools. Prior to the institution of a mandatory number of school days, it was found that schools held varying numbers of school days. The differences were substantial; with the difference between the school with the fewest number of days and the school with the greatest number of days being thirty-six school days.

Your Committees further find that absent a mandatory number of school days, it was possible to institute a furlough upon school personnel. The furlough, which resulted in the loss of seventeen school days, left many parents without childcare for their children and shortchanged students' instructional time. Mandating a number of school days also works to prevent another round of similar furloughs in the future.

Your Committees further find that schools are struggling to meet the student instructional hours required under section 302A-251, Hawaii Revised Statutes, within the framework of the current unit (5) collective bargaining agreement. Schools need flexibility, which can be found by relaxing the definition of "student instructional hours" and counting the entire school day toward the one thousand eighty hours required annually.

Your Committees have amended this measure by:

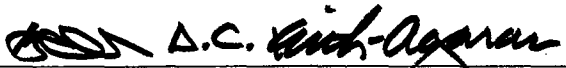
- (1) Reinstating the requirement of implementing a school year that includes one thousand eighty student instructional hours and one hundred eighty school days in the 2016-2018 school years;
- (2) Replacing all references to "student instructional hours" with "student hours"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Education and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and

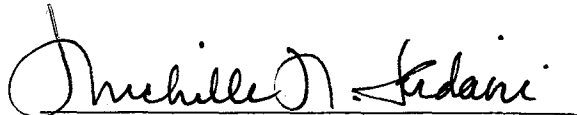


purpose of S.B. No. 822, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 822, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Judiciary and Labor,



GILBERT S.C. KEITH-AGARAN, Chair



MICHELLE N. KIDANI, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* SB 822	Committee Referral: EDU/JDL, WAM	Date: 2/13/15		
<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
KIDANI, Michelle N. (C)	✓			
HARIMOTO, Breene (VC)	✓			
CHUN OAKLAND, Suzanne		✓		
DELA CRUZ, Donovan M.				✓
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.	✓			
NISHIHARA, Clarence K.	✓			
THIELEN, Laura H.	✓			
SLOM, Sam				✓
TOTAL	6	1		2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">Breene Harimoto</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 822	Committee Referral: EDU/JDL, WAM	Date: 2/13/15		
<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
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)				✓
ESPERO, Will	✓			
GABBARD, Mike				✓
IHARA, Jr., Les	✓			
THIELEN, Laura H.	✓			
SLOM, Sam				✓
TOTAL	4	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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