
A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1 PART I

2 SECTION 1. Due to a variety of factors, Hawaii has long
3 suffered from a shortage of qualified public-school teachers.
4 This shortage not only continues but is worsening. Fewer
5 graduates from Hawaii teacher education programs are entering
6 the profession. According to the Hawaii State Teachers
7 Association, the number of graduates joining the department of
8 education fell by nearly thirty per cent, from five hundred
9 forty-five in the 2010-11 school year to three hundred
10 eighty-seven in the 2016-17 school year. Furthermore, four
11 hundred eleven public-school teachers resigned and left Hawaii
12 in 2017, compared to two hundred sixty-six in 2012 and two
13 hundred twenty-three in 2010.

14 In a presentation to the board of education on June 21,
15 2018, the Hawaii State Teachers Association testified that
16 teacher vacancies increased fifty-one per cent from 2011 and the



1 number of unlicensed teachers who do not meet state
2 qualifications rose sixty-three per cent from 2011.

3 Data released by the department of education on
4 November 15, 2018, revealed that out of a total 13,437 teaching
5 positions in 2018, five hundred eight spots were filled by
6 instructors who had not completed a state-approved teacher
7 preparation program. An additional five hundred twenty-one
8 spots were vacant as of August 1, 2018. As a result, one
9 thousand twenty-nine positions statewide are not filled by
10 highly qualified teachers.

11 In comparison, during the 2012-13 school year, out of a
12 total of 12,934 teaching positions, two hundred seventy-four
13 were filled by emergency hires and three hundred thirty-four
14 spots were vacant as of August 1, 2012, for a total of six
15 hundred eight positions not filled by certified teachers during
16 that school year.

17 The recent data reflects another long-term trend: teachers
18 leaving Hawaii has outpaced retirement as the top reason for
19 attrition in the last three years. During the 2017-18 school
20 year, four hundred twenty-three teachers left Hawaii for the
21 mainland, a seventy-one per cent increase from five years ago.



1 The legislature finds that the University of Hawaii system
2 does not offer a sufficient number of classes in their major for
3 students who are pursuing undergraduate or graduate degrees in
4 the field of education, especially distance-learning classes.
5 The legislature further finds that this issue is a matter of
6 statewide concern that falls under its purview pursuant to
7 article X, section 6, of the Hawaii State Constitution.

8 The purpose of this part is to require the University of
9 Hawaii to establish additional distance-learning classes in
10 teaching for students who are pursuing undergraduate or graduate
11 degrees in education.

12 SECTION 2. (a) Beginning with the 2020-2021 academic
13 year, the University of Hawaii shall establish additional
14 distance-learning classes in teaching for students who are
15 pursuing undergraduate or graduate degrees in education.

16 (b) As used in this section, "distance learning" means a
17 method of education in which lectures are broadcast or classes
18 are conducted over the Internet and enrolled students are not
19 required to attend lectures or classes at a physical campus of
20 the University of Hawaii.

21 PART II



1 SECTION 3. The legislature finds that the composition and
2 term limits of members of the board of regents of the University
3 of Hawaii is a matter of statewide concern that falls under its
4 purview pursuant to article X, section 6, of the Hawaii State
5 Constitution.

6 The purpose of this part is to amend the composition of the
7 members of the board of regents of the University of Hawaii.

8 SECTION 4. Section 26-11, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 "(a) The University of Hawaii shall be headed by an
11 executive board to be known as the board of regents.

12 The board shall consist of [~~fifteen~~] eleven members. At
13 least one member shall be a University of Hawaii student at the
14 time of the initial appointment. [~~This member may be~~
15 ~~reappointed for one additional term even though the member may~~
16 ~~no longer be a student at the time of reappointment.~~] The
17 governor shall reduce the terms of those initially appointed to
18 each seat on the board of regents to provide, as far as
19 practicable, for the expiration of three terms each year;
20 provided that the term of the student member shall not be
21 reduced.



1 ~~[At least twelve]~~ The members, except for the student
2 member, shall represent and reside in the specified geographic
3 areas as follows:

- 4 (1) Two members from the county of Hawaii;
5 (2) Two members from the county of Maui;
6 (3) One member from the county of Kauai; and
7 (4) ~~[Seven]~~ Five members from the city and county of
8 Honolulu~~[-]~~; provided that of the five members, three
9 members shall represent and reside in the first
10 congressional district of the State and the other two
11 members shall represent and reside in the second
12 congressional district of the State.

13 The board shall have the power, in accordance with the
14 Hawaii constitution and with law, to formulate policy and to
15 exercise control over the university through its executive
16 officer, the president of the university. The board shall have
17 exclusive jurisdiction over the internal organization and
18 management of the university. The board shall hold the
19 president of the university and university administration
20 accountable for decisions, actions, and leases that incur
21 additional costs to the university."



1 SECTION 5. Section 304A-104, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The affairs of the university shall be under the
4 general management and control of the board of regents. The
5 board shall consist of [~~fifteen~~] eleven members who shall be
6 appointed by the governor from lists of qualified candidates
7 presented to the governor by the candidate advisory council,
8 pursuant to section 304A-104.6, and shall be confirmed by the
9 senate; provided that if the list of qualified candidates
10 includes fewer than three candidates at any time during the
11 nomination and confirmation process, the governor may request
12 that the candidate advisory council reopen recruitment for
13 qualified candidates. Members may be removed by the governor.
14 Except as otherwise provided by law, state officers shall be
15 eligible for appointment and membership.

16 The term of each member shall be five years, except as
17 provided for the initial appointment in section 26-11; provided
18 that the term of the student member shall be two years. Every
19 member may serve beyond the expiration date of the member's term
20 of appointment as a holdover member until the member's successor
21 has been appointed by the governor and confirmed by the senate



1 in accordance with article X, section 6 of the Hawaii State
2 Constitution[-]; provided that, notwithstanding any law to the
3 contrary, a holdover member shall not serve as a member of the
4 board beyond the end of the first regular session of the
5 legislature following the expiration of the member's term.
6 Members shall serve no more than two consecutive five-year
7 terms; provided that the members who are initially appointed to
8 terms of two years or less pursuant to section 26-11(a) may be
9 reappointed to two ensuing five-year terms. If a member is to
10 be appointed to a second term of five years, the senate shall
11 consider the question of whether to reconfirm the member at
12 least one hundred twenty days prior to the conclusion of a
13 member's first five-year term; provided that if the senate is
14 not in session within one hundred twenty days prior to the
15 conclusion of the member's first five-year term, the member
16 shall continue to serve until the senate convenes for the next
17 regular session or the next special session for which the senate
18 is authorized to consider the question of reconfirmation."

19 PART III

20 SECTION 6. Notwithstanding any law to the contrary, the
21 members of the board of regents of the University of Hawaii



1 serving on the day of the effective day of this Act shall
2 continue to serve the remainder of their current terms. As
3 vacancies occur, the vacancies shall be filled in manner that
4 meets the composition requirements of section 304A-104(a),
5 Hawaii Revised Statutes, as amended by section 4 of this Act.

6 SECTION 7. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 8. This Act shall take effect upon its approval;
9 provided that section 2 this Act shall be repealed on
10 December 31, 2023.



Report Title:

University of Hawaii; Distance-learning; Teaching; Board of Regents; Composition

Description:

Part I: Requires the University of Hawaii system to create additional distance-learning classes in teaching for students who are pursuing undergraduate or graduate degrees in education.
Part II: Amends the composition of the Board of Regents of the University of Hawaii, and reduces the number of board members from 15 members to 11 members. Specifies terms of holdover board members. Specifies that the Board of Regents shall hold the President of the University of Hawaii and university administration accountable for decisions, actions, and leases that incur additional costs to the university. Repeals requirement for additional distance-learning on 12/31/2023.
(SD2)

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

