

JAN 22 2007

---

---

# 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 individual public  
2 schools often need assistance to meet state accountability  
3 requirements for both fiscal and academic performance. In the  
4 past, the department of education district offices provided  
5 significant assistance to schools. However, with the emphasis  
6 on compliance with new federal and state requirements, the  
7 services available for schools at the complex area or district  
8 level have not kept pace with the needs of the schools.

9           The legislature further finds that the implementation of  
10 the weighted student formula as described in Act 51, Session  
11 Laws of Hawaii 2004, has often made it more difficult for  
12 schools to pool their resources to create complex area services  
13 and make complex area purchases of learning materials.

14           Finally, the legislature finds that with the emphasis on  
15 student testing results for reading and math, difficult choices  
16 at the school level have made it challenging for schools to



1 retain important programs in the arts, physical education, and  
2 virtual education.

3       Specifically, it is well known that participation in the  
4 performing and visual arts not only enriches student life, but  
5 also contributes to greater student achievement. For many  
6 students, hands-on learning opportunities for self expression  
7 are keys to a healthier self esteem and improved classroom  
8 behavior. A complete education is one in which a young person  
9 is given continuous opportunities for expression through the  
10 arts.

11       It is also known that many of our students are not  
12 physically fit and many exhibit symptoms of childhood obesity.  
13 Student health relates to the physical well-being of our  
14 community and contributes to overall student achievement. It is  
15 essential that physical education programs be sustained even as  
16 schools spend more resources on remedial tutoring designed to  
17 raise test scores.

18       Finally, the ability of school communities to purchase high  
19 quality learning materials is crucial for a dynamic and  
20 effective education system. These materials may include  
21 traditional text books, virtual or computer-based text books, or  
22 novels.



- 1 The purpose of this Act is to achieve the following:
- 2 (1) Create greater emphasis and funding within the
- 3 department of education at the complex area level for
- 4 services and procurement of learning materials aligned
- 5 throughout the complex;
- 6 (2) Create in each complex, a business service center and
- 7 an education service center to provide greater support
- 8 to schools within each complex;
- 9 (3) Provide funds at the complex area level for training
- 10 and the professional development of school community
- 11 councils;
- 12 (4) Provide additional funds to allow schools to purchase
- 13 business services to ensure that the schools are using
- 14 their best accounting and record keeping practices and
- 15 are prepared for a financial audit; and
- 16 (5) Encourage schools to pool their resources to achieve
- 17 the purposes of these funds.

18 SECTION 2. Section 302A-604.5, Hawaii Revised Statutes, is

19 amended to read as follows:

20 **"§302A-604.5 District business and fiscal officers~~[-]~~ and**

21 **complex area business managers.** (a) The department shall

22 establish [~~eight~~] fifteen permanent civil service exempt full-



1 time equivalent complex area business [~~and fiscal officer~~]  
2 manager positions; provided that [~~four~~] one full-time equivalent  
3 complex area business [~~and fiscal officer positions~~] manager  
4 position shall be assigned to [~~the Oahu school districts, with~~  
5 ~~the remaining positions to be assigned to school complexes based~~  
6 ~~on need;~~] each of the fifteen complex areas in the department;  
7 and provided further that the complex area business [~~and fiscal~~  
8 ~~officer;~~] manager:

- 9 (1) Shall be a highly knowledgeable and qualified  
10 individual and have a business and facilities  
11 management background;
- 12 (2) Shall not be subject to the requirements of [~~+~~]chapter  
13 76[~~+~~]; and
- 14 (3) Shall not be required to be a certified teacher.
- 15 (b) Departmental school district business and fiscal  
16 officers shall be responsible for:
- 17 (1) Coordinating physical plant operations and maintenance  
18 activities with [~~the departments of education and~~  
19 ~~accounting and general services;~~] schools within the  
20 complex;
- 21 (2) Coordinating the training and selection of school  
22 custodians; monitoring the performance of school



1           custodians in accomplishing minor repairs with funds  
2           from school-level minor repairs and maintenance  
3           accounts; and overseeing these accounts at the  
4           direction of school principals;

5           (3) Planning for capital improvement projects with the  
6           department of education;

7           (4) Ensuring that school facilities comply with the laws  
8           and rules regarding:

9           (A) The provision of a free appropriate public  
10           education for exceptional children with  
11           disabilities; and

12           (B) The provision of a free appropriate public  
13           education for qualified students with  
14           disabilities;

15           (5) Assisting the department, individual schools, and  
16           school complexes in forming partnerships with  
17           community groups, volunteers, and businesses to obtain  
18           donated and discounted repair and maintenance services  
19           and materials; [and]

20           (6) Developing, coordinating, overseeing, and  
21           participating in the data collection for the physical



- 1 plant analysis report and the maintenance plan for  
2 each school[-];
- 3 (7) Assist schools in adopting best practices in  
4 accounting and bookkeeping;
- 5 (8) Conduct budget versus actual variance analysis;  
6 (9) Understand and provide guidance on procurement  
7 transactions and laws; and
- 8 (10) Prepare and present financial recommendations to the  
9 school and complex area administrators."

10 SECTION 3. There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$ , or so  
12 much thereof as may be necessary for fiscal year 2007-2008, and  
13 \$ , or so much thereof as may be necessary for fiscal  
14 year 2008-2009, for each complex area and the charter school  
15 administrative office to provide funds to complex area  
16 department schools and to charter schools to purchase business  
17 services either from the department of education or other  
18 sources to assist the school in adopting best practices for  
19 accounting and recordkeeping.

20 The sums appropriated shall be expended by the department  
21 of education to assist the school community councils or local  
22 school boards with the goal of ensuring that each school is



1 prepared for a financial audit. The department of education  
2 shall transfer the appropriate amount for each student to the  
3 charter school administrative office no later than  
4 July 15, 2008, for distribution to the charter schools.

5 SECTION 4. 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 2007-2008, and  
8 \$ , or so much thereof as may be necessary for fiscal  
9 year 2008-2009 to assist each complex area and school community  
10 councils to purchase training and professional development.

11 The sums appropriated shall be expended by the department  
12 of education for purposes of this Act.

13 SECTION 5. There is appropriated out of the general  
14 revenues of the State of Hawaii the sum of \$ , or so  
15 much thereof as may be necessary for fiscal year 2007-2008, and  
16 \$ , or so much thereof as may be necessary for fiscal  
17 year 2008-2009, for the establishment of one full time  
18 equivalent business manager position for each of the fifteen  
19 school complex areas to assist the schools in managing their  
20 business aspects and in adopting best practices for accounting  
21 and recordkeeping.



1           The sums appropriated shall be expended by the department  
2 of education for purposes of this Act.

3           SECTION 6. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$                   , or so  
5 much thereof as may be necessary for fiscal year 2007-2008, and  
6 \$                   , or so much thereof as may be necessary for fiscal  
7 year 2008-2009, for the department of education complex areas  
8 and the charter school administrative office to provide funds to  
9 schools for arts education, physical education, mathematics and  
10 science learning materials, including virtual learning materials  
11 and programs; provided that mathematics and science learning  
12 materials purchased by the schools shall be aligned with  
13 curricula throughout the complex. The department of education  
14 shall transfer the appropriate pro rated amounts of this  
15 appropriation for charter schools to the charter school  
16 administrative office no later than July 15, 2008, for  
17 distribution to the charter schools.

18           The sums appropriated shall be expended by the department  
19 of education for the purposes of this Act.

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

22





1 SECTION 8. This Act shall take effect on July 1, 2007.

2

INTRODUCED BY:

Norman Sakuma

Jill

Suzanne Chun Oakland

3

C. Th. He



**Report Title:**

Education; Appropriation; Fiscal and Academic Accountability

**Description:**

Appropriates moneys to the department of education for services relating to fiscal and academic accountability.

