



STATE OF HAWAII
BOARD OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

August 18, 2015

TO: Lance Mizumoto
Chairperson, Board of Education

FROM: Brian De Lima
Margaret Cox
Grant Chun
Patricia Halagao

AGENDA ITEM: Investigative committee (a permitted interaction group pursuant to Hawaii Revised Statutes Section 92-2.5(b)(1)) Report on the Department of Education's Committee on Weights ("COW") IX regarding the Weighted Student Formula ("WSF") fund allocation for the 2016-2017 and 2017-2018 School Years

This report conveys to the full Board of Education ("Board") the work of the investigative committee, a permitted interaction group assigned to investigate the recommendations of the Committee on Weights IX ("COW IX") regarding the Weighted Student Formula ("WSF") fund allocation for the 2016-2017 and 2017-2018 School Years. The investigative committee does not have any findings or recommendations.

At its July 21, 2015 General Business Meeting, the Board formed the COW investigative committee, pursuant to Hawaii Revised Statutes, Section 92-2.5(b)(1), entitled "Permitted interactions of members."¹ The COW investigative committee was assigned

¹ Hawaii Revised Statutes, Section 92-2.5(b)(1) provides, in pertinent part:

"(b) Two or more members of a board, but less than the number of members which would constitute a quorum for the board, may be assigned to:

(1) Investigate a matter relating to the official business of their board; provided that:

(A) The scope of the investigation and the scope of each member's authority are defined at a meeting of the board;

(B) All resulting findings and recommendations are presented to the board at a meeting of the board; and

(C) Deliberation and decision making on the matter investigated, if any, occurs only at a duly noticed meeting of the board held subsequent to the meeting at which the findings and recommendations of the investigation were presented to the board;"

to investigate two things – the Department’s Fiscal Year 2016-2017 supplemental budget recommendations, and the recommendations of COW IX regarding WSF fund allocation for the 2016-2017 and 2017-2018 School Years. This report only covers the second subject, which is investigation of COW IX regarding WSF fund allocation for the 2016-2017 and 2017-2018 School Years. A separate report will be provided regarding the Department’s Fiscal Year 2016-2017 supplemental budget recommendations, since that subject is on a separate and different timeline.

The Board designated Board Member Margaret Cox, Board Member, Grant Chun, and Board Vice Chairperson Brian De Lima as members of the investigative committee. The Board further authorized the Board Chairperson to appoint the Chairperson of the Student Achievement Committee or another Board member as the fourth member of the investigative committee. Subsequently, the Board Chairperson appointed Board Member Patricia Halagao, the Chairperson of the Student Achievement Committee.

The investigative committee convened on August 4, 2015. In attendance were the following individuals:

Grant Chun	Board and Investigative Committee Member
Margaret Cox	Board and Investigative Committee Member
Brian De Lima	Board and Investigative Committee Member
Patricia Halagao	Board and Investigative Committee Member
Suzanne Mulcahy	COW IX Chair and Superintendent’s designee, Assistant Superintendent for the Office of Curriculum, Instruction, and Student Support and former Complex Area Superintendent for Kailua-Kalaheo
Amy Kunz	Senior Assistant Superintendent and Chief Financial Officer, Department Office of Fiscal Services
Brian Hallett	Director, Department Budget Branch
Ken Kuraya	Budget Execution Administrator, Department Budget Execution Branch
Kimberly Chee	Budget Specialist, Department Budget Execution Branch

At this meeting, the representative for COW IX advised the COW investigative committee that COW IX’s final report, which contained its recommendations, was still being drafted. COW IX members planned to finalize the report for submission to the Board’s Finance and Infrastructure Committee for review and action on August 18, 2015.

The COW IX representative reviewed the relevant statutory authority, provided a description of the comprehensive process used to solicit feedback, and advised the COW investigative committee that COW IX’s report was in large part based upon and will include feedback from principals, as well as the public. The report would also include analysis and consideration of whether athletics, school food service, transportation, and utilities program funds should be included as part of WSF school allocations. The process COW IX uses is subject to Sunshine Law (Hawaii Revised Statutes Chapter 92) , which requires proper notice and meetings that are open to the public.

The COW investigative committee makes no findings and recommendations as the COW IX final report was not available when the COW investigative committee met on August 4, 2015. The final report, as described by the COW IX representative will be comprehensive, and review and action by the Board Finance and Infrastructure Committee will ensure that action by the Board will be informed, timely, and provide sufficient notice to the schools to complete their financial plan for the upcoming 2016-2017 School Year.

A report from the investigative committee with findings and recommendations to the Board would require a further investigative committee meeting and ultimately delay Board action on any COW IX recommendations.

The COW investigative committee will not perform any further investigation into the COW IX recommendations.