



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

May 3, 2016

TO: Board of Education

FROM: Lance A. Mizumoto  
Chairperson, Board of Education

AGENDA ITEM: Board Action on Memorandum of Understanding regarding the  
Board support office

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I. BACKGROUND

The Board of Education ("Board") heads and oversees the Department, pursuant to Section 26-12, Hawaii Revised Statutes and in accordance with applicable laws and its By-laws, formulates statewide educational policy pursuant to Article X of the Hawaii State Constitution. The Board Support Office, headed by its Executive Director, supports the work of the Board.

The Department assists the Board and the Board Support Office in carrying out their work by providing support.

Organizationally, the Board Support Office is currently under the Office of the Superintendent and the Superintendent is responsible for appointing Board Support Office staff and performing other duties. Practically, the Board Support Office's function is to support the work of the Board, so its staff works closely with the Board. The intent of the Memorandum of Understanding ("Memorandum"), attached as **Exhibit A**, is to clarify the lines of authority, appointment authority, and the roles of the parties to the agreement.

II. RECOMMENDATION

I recommend that the Board approve the Memorandum of Understanding, which is attached as **Exhibit A** to this memorandum dated May 3, 2016 and authorize me as Chairperson of the Board to sign the Memorandum of Understanding.

**Exhibit A**  
**MEMORANDUM OF UNDERSTANDING**

This MEMORANDUM OF UNDERSTANDING (“Memorandum”) is entered into this 31<sup>st</sup> day of March, 2016, by and between the Board of Education and the Department of Education, hereinafter referred to as the Board and the Department respectively.

The purpose of this MEMORANDUM OF UNDERSTANDING is to delineate the roles and responsibilities of the Board and the Department and to clarify the reporting structure and process for appointing the Executive Director of the Board of Education (“ED”) and the roles and responsibilities of the Department’s support of the Board Office.

**Background**

The Board heads the Department, pursuant to Section 26-12, Hawaii Revised Statutes and in accordance with applicable laws and its By-laws, formulates statewide educational policy pursuant to Article X of the Hawaii State Constitution, and adopts student performance standards and assessment models, among other functions. The Board also exercises control over the public school system and public library system through its executive officers and the state librarian.

The Board Office, headed by the ED, supports the work of the Board.

The Department assists the Board and the Board Office in carrying out their work by providing support.

**Reporting Structure and Appointment of ED and Board Office Staff**

The ED shall report to the Chair of the Board, who shall be considered the ED’s direct supervisor. The Chair of the Board shall have the authority to determine the terms and conditions of the ED’s employment to the same extent the Superintendent would in the absence of this Memorandum. The Chair of the Board shall be responsible for providing to the ED direction, assignments and evaluation, approving time and attendance, and any other function that can reasonably be considered a supervisory function.

The Superintendent delegates authority to the Board to appoint and hire the ED and Board Office staff. The Superintendent further authorizes and agrees to allow the Board to redelegate the authority to appoint and hire Board Office Staff to the ED. The ED shall be appointed by the Chair of the Board with approval from the Board. The ED shall have primary responsibility for the Board Office and staff and for administrative support for Board members and Board meetings.

**Roles and Responsibilities of the Department Support of the Board Office**

The Department shall provide administrative and technical support, as needed, to assist the Board Office in carrying out its responsibilities, including:

- Assistance and advisement on processes and procedures related to personnel
- Assistance and advisement on internal budget processes and procedures
- Assistance and advisement to facilitate Board meetings
- Access to the Department’s legislative tracking system

- IT support, including support for hardware, software, and the Board’s website
- Assistance and advisement related to facilities support when not provided by the Department of Accounting and General Services, including physical relocations and pest control

In addition, the Board Office may receive the benefits of Department contracts for services and goods.

The Department shall provide additional assistance and advisement, where needed, as directed by the Chair of the Board.

**Duration**

This Memorandum shall be effective on April 1, 2016, and shall terminate on June 30, 2018. This Memorandum may be modified or extended upon mutual agreement of the parties.

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Lance A. Mizumoto  
Chair, Board of Education

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Kathryn S. Matayoshi  
Superintendent, Department of Education