

**Agenda Item IV.A, Board Action on Investigative Committee (a permitted interaction group pursuant to Hawaii Revised Statutes, Section 92-2.5(b)(1)) investigating issues relating to a search for a Superintendent including timeline, process, and composition of group conducting search process**

General Business Meeting

December 20, 2016

At its December 6, 2016 General Business Meeting, the Board of Education (“Board”) was presented with the report of the investigative committee that was tasked with, among other things, investigating issues relating to a search for a Superintendent including timeline, process, and composition of group conducting search process (“Search Process Committee”). The report is attached as **Exhibit 1**. In accordance with Hawaii Revised Statutes (“HRS”), Section 92-2.5(b)(1)(C),<sup>1</sup> entitled “Permitted interactions of members,” the Board did not take action on any of the Search Process Committee’s recommendations.

Action on the Search Process Committee’s recommendations has been placed on a subsequent Board meeting agenda, the December 20, 2016 General Business Meeting agenda.

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<sup>1</sup> Section 92.25(b)(1), HRS 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:

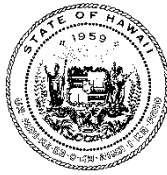
(1) Investigate a matter relating to the official business of their board; provided that:

- (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;”

(Emphasis added).

**Exhibit 1**

**Search Process Committee Report (dated December 6, 2016)**



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

December 6, 2016

TO: Lance A. Mizumoto  
Chairperson, Board of Education

FROM: Darrel Galera, Committee Chairperson, Investigative Committee  
Patricia Bergin  
Kenneth Uemura  
Bruce Voss

AGENDA ITEM: Report on Investigative Committee (a permitted interaction group pursuant to Hawaii Revised Statutes, Section 92-2.5(b)(1)) investigating issues relating to a search for a Superintendent, including timeline, process, and composition of group conducting search process: findings and recommendations

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**I. BACKGROUND**

On November 1, 2016, the Board of Education ("Board") took action and formed an Investigative Committee (a permitted interaction group pursuant to Hawaii Revised Statutes, Section 92-2.5(b)(1) investigating issues relating to a search for a Superintendent, including timeline, process, and composition of the group conducting the search process ("Search Process Committee"). The Board designated Board Members Patricia Bergin, Darrel Galera, Kenneth Uemura, and Bruce Voss as members of the Search Process Committee. Board Member Galera was designated as the Chairperson of the Search Process Committee.

Since November 1, 2016, members of the Search Process Committee met with various stakeholders and conducted several telephone conferences to discuss the issues they were tasked to investigate.

**II. BRIEF DESCRIPTION OF PROCESS**

Donors will provide support that allows the Board to hire a professional search firm. After the Board establishes the Superintendent's job description and/or desirable characteristics of a Superintendent, the position will be posted and applications solicited. After the application period is complete, the Search Committee, Search Firm, and Advisory Group (as such terms are defined below) will work to determine which candidates are qualified and narrow the field to no less than two final candidates. The Board will select a finalist from the final candidates. A graphic depicting the main elements of the search process is attached as **Exhibit A**.

### III. ROLES AND RESPONSIBILITIES

There are several parties that will have a part in the search process. These parties and their responsibilities are described below.

**Board:** The Board delegates authority to conduct the search to the Search Committee. With the assistance of the Search Firm, the Board will adopt a job description for the Superintendent and may run a process to develop Superintendent Characteristics, both of which can be used to qualify and evaluate candidates. The Board will negotiate and enter into a contract with the Search Firm. The Board will review the Search Committee recommendation regarding the top applicants (“Final Candidates”) and decide which of the Final Candidates will be the top candidate (“Finalist”).

**Search Committee:** The Search Committee will be formed by the Board. The Search Committee, Advisory Group, and Search Firm will review the applicants for the position. Taking into consideration the advice of the Advisory Group and the Search Firm, the Search Committee votes on the Final Candidates and provides its recommendation to the Board. Only the Search Committee, which is solely made up of Board Members, will vote regarding the recommendation of the Final Candidates, but will consider input from the Advisory Group and Search Firm.

**Advisory Group:** The advisory group can be made up of individuals representing the following groups: students, parents, teachers, school administrators, classified/non-certificated staff members, community, Hawaiian education, charter education, early education, higher education, military, non-profit (education) (collectively “Advisory Group”).<sup>1</sup> The Advisory Group will advise the Search Committee regarding its recommendation of the Final Candidates to the Board. Advisory Group members will not vote on the Final Candidates, but will provide the Search Committee with advice regarding the selection of the Final Candidates to present to the Board.

**Search Firm:** The Search Firm will conduct a local and national search for candidates for the position of Superintendent. It will assist the Search Committee, Advisory Group, and Board in the search process and communication of the process and results.

**Public:** The Public includes anyone that has an interest in public education in Hawaii. This includes all teachers, staff, students, administrators, parents, and community members. The Public may be able to provide comment on the job description for the Superintendent, Superintendent Characteristics, Final Candidates and Finalist through different processes.

**Donors:** The committee has been exploring the possibility of donors providing support and funding for things like a Search Firm (“Donors”). The Harold K.L. Castle Foundation, The Learning Coalition, and Kamehameha Schools have been approached. The Donors will provide support and run a process to identify a Search Firm.

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<sup>1</sup> Note that this is a listing of perspectives that may be represented in the Advisory Group because of a significant interest in public education in Hawaii. It is not meant to be exhaustive or limiting.

#### IV. FINDINGS

The process described above was developed with the intent to provide flexibility and the opportunity for the Search Committee and Board to consult with a professional search firm before establishing all elements of the process. As such, elements of the search described herein are intended to provide guidance to the Search Committee and allows the Search Committee to make decisions and adjust the process as it deems necessary.

Donors and Search Firm. The Donors have been approached to provide joint support to fund a Search Firm, which will assist the Board in its search for a superintendent. The Donors will run a process to identify a Search Firm, which will include the consideration of multiple firms. Once the Donors have identified a Search Firm, it will provide the necessary funds and identify the Search Firm. The Board will negotiate and contract with the Search Firm.

The committee advocates for the use of this process (using donated funds and working with Donors to select a Search Firm) to ensure that a comprehensive search for qualified candidates with the benefit of a professional search firm could be completed in a timely fashion. The Donors plan on interviewing several potential firms and including at least one Board Member in these interviews to ensure that the interviewees understand the process contemplated and the expectations of the Board. The Donors will then issue a grant to the Board that will have a Search Firm identified. This process makes it possible to select a candidate before July 1, 2017.

Advisory Group. The Advisory Group will be made up of individuals representing the groups described above. The Search Committee chairperson, with the guidance and input of the Search Committee, will determine which individuals will serve on the Advisory Group. While it is impossible to ensure that everyone is represented, the hope is that the individuals on this Advisory Group will represent large numbers of people in each of their areas.

Input on Process. The process provides a number of opportunities for the Public and Advisory Group to provide input. This committee encourages seeking input, but leaves it to the Search Committee to make a determination of how and when this input will be solicited because the Search Committee will have the benefit of the professional advice of the Search Firm after it is retained.

- a. Superintendent Characteristics and Job Description.** The Board can employ a two-step process to provide the Search Committee, Advisory Group, and Search Firm with guidance to solicit applicants and narrow the field of applicants to the Final Candidates. The two-steps, establishing Superintendent Characteristics and a job description, can complement each other and provide a well-rounded picture of the individual that the Board is looking for. The Public can comment on the job description for the Superintendent through conventional means, which is testimony on Board agenda items. The Board can run a different process to reach out to the Public for input on Superintendent Characteristics, which can include outreach through an online survey and other means.

- b. Final Candidates.** The Advisory Group will assist the Search Firm and Search Committee in providing advice on its selection of the Final Candidates. This committee also advocates for a process where the Board holds forums that allows the Public to meet the Final Candidates before selecting a Finalist.
- c. Finalist.** The name of the Finalist can also be posted on the Board agenda where the Board makes a decision so the Public can provide input on the Finalist via testimony before the Board takes action.

**V. SEARCH PROCESS TIMELINE**

The general timeline below maps out the major activities and estimated dates relating to the superintendent search. The dates are approximate, based on various assumptions, and may change as process develops and the Search Committee makes its determinations regarding the process.

<b>Approximate Date</b>	<b>Activity</b>
December 6, 2016	Search Process Committee reports recommendations and findings regarding search process
December 20, 2016	Board considers Search Process Committee recommendations and findings and establishes the members of the Search Committee
December 2016- January 2017	Search Committee establishes individuals that will be part of Advisory Group Board contracts with Search Firm and works on Superintendent Characteristics
January-February 2017	Board adopts job description and Superintendent Characteristics
February-April 2017	Position posted internally and externally
March-April 2017	Search Committee, Advisory Group, and Search Firm develops list of Final Candidates
May 2017	Search Committee recommends Final Candidates to Board
June 2017	Board announces Finalist

**VI. RECOMMENDATION**

This committee unanimously agreed and recommends that the Board establish an investigative committee (a permitted interaction group pursuant to Hawaii Revised Statutes, Section 92-2.5(b)(1)) tasked with conducting the search for a superintendent (“Search Committee”) and adopt the search process and timeline, as described in this memorandum, subject to any revisions as determined by the Search Committee.

This report completes the work the Board tasked to this committee.

**Exhibit A**

Search Process

**SEARCH PROCESS**

