

**Agenda Item VII.A, Board Action on proposed legislation being considered during 2017 Legislative Session, including, but not limited to: HB 1091 Relating to the State Librarian's Salary, SB 957 Relating to the State Librarian's Salary, HB 1092 Relating to Public School Innovation Grants, SB 958 Relating to Public School Innovation Grants**

General Business Meeting

February 7, 2017

At its August 16, 2016 general business meeting, the Board of Education ("Board") voted to approve a legislative proposal that would amend the statutory salary cap for the State Librarian. The Governor introduced the proposal as part of his administrative bills package to the Legislature for the 2017 legislative session. The proposal has manifested as HB 1091 and SB 957, attached as **Exhibit A** (the bills are currently identical, so only the House Bill is attached).

The Governor also introduced as part of his legislative package a proposal that would establish a public school innovation grants program to support school-level innovations. The Board would administer the program. This proposal has manifested as HB 1092 and SB 958, attached as **Exhibit B** (the bills are currently identical, so only the House Bill is attached).

**Exhibit A**

**HB 1091, Relating to the State Librarian's Salary**

# H.B. NO. 1091

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## A BILL FOR AN ACT

RELATING TO THE STATE LIBRARIAN'S SALARY.

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

1           SECTION 1. The legislature finds that existing law  
2 authorizes the board of education to set the salary of the state  
3 librarian but the salary cannot exceed a specific amount, also  
4 referred to as a salary cap.

5           The legislature further finds that it is a challenge to  
6 recruit and fill this state leadership position because the  
7 statutory salary cap is not in alignment with national salary  
8 norms and therefore is not competitive with or in the range of  
9 the salaries of other similar administrative leadership  
10 positions at comparable library systems.

11           The legislature further finds that the statute governing  
12 the state librarian's salary has not been amended since 2001 and  
13 that the salary cap should be revised as a matter of equity, to  
14 account for cost of living increases.

15           Amending the current salary cap for the state librarian was  
16 based on a review of the salaries of library directors with  
17 comparable budgets, population sizes, and number of employees  
18 across the country. Salaries of similar positions in other

H.B. NO. 1091

1 states support the change to a higher salary cap. The state  
2 librarian is responsible for a statewide district, whereas most  
3 librarians are responsible for only a city or county.

4 The amendment to the salary cap will also provide the board  
5 of education with more discretion in hiring, recruiting, and  
6 retaining the top librarian for Hawaii's public libraries

7 The purpose of this Act is to provide the board of  
8 education, as the appointing body of the state librarian, with  
9 more flexibility to establish the salary of the state librarian,  
10 by increasing the salary cap on the state librarian position.

11 SECTION 2. Section 312-2.1, Hawaii Revised Statutes, is  
12 amended by amending subsection (b) to read as follows:

13 "(b) The salary of the state librarian shall be set by the  
14 board of education [~~at a rate no greater than \$120,000 a year.~~];  
15 provided that the salary of the state librarian shall not exceed  
16 the superintendent's salary."

17 SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.

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22  
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INTRODUCED BY: \_\_\_\_\_



BY REQUEST

JAN 23 2017

H.B. NO. 1091

**Report Title:**

Librarian Salary

**Description:**

Increases the salary cap on the state librarian position.

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

JUSTIFICATION SHEET

DEPARTMENT: Education

TITLE: A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN'S SALARY.

PURPOSE: To increase the State Librarian's salary cap from \$120,000 per year to an amount not to exceed the Superintendent's salary.

MEANS: Amend section 312.2.1(b), Hawaii Revised Statutes.

JUSTIFICATION: The current salary cap is not consistent with the duties and responsibilities of the position and not in alignment with national salary norms. Salaries of similar positions in other states with comparable budgets, population sizes, and number of employees are significantly greater than the salary cap of Hawaii's State Librarian. The State Librarian is responsible for a statewide district, whereas most librarians are responsible for only a city or county. The statute governing the State Librarian's salary has not been amended since 2001, and the salary cap should be revised as a matter of equity, to account for cost of living increases. Amending the current salary cap for the State Librarian would provide the Board of Education with the authority and latitude to establish the salary of this leadership position commensurate with various factors, including the breadth of responsibilities and duties of the position, the experience and skills the individual brings to the position, and the job performance of the individual. Adjusting the salary cap would also provide the Board of Education with the flexibility it needs to attract and retain individuals to support a strong statewide public library system. The quality of leadership directly impacts the quality of the organization and the

provision of the Hawaii State Public Library System's most important service: to provide Hawaii's residents with access to education, information, programs, and services.

Impact on the public: None.

Impact on the department and other agencies: None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION:

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.

**Exhibit B**

**HB 1092, Relating to Public School Innovation Grants**



# H.B. NO. 1092

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## A BILL FOR AN ACT

RELATING TO PUBLIC SCHOOL INNOVATION GRANTS.

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

1           SECTION 1.   The legislature finds that it is a matter of  
2 statewide concern to authorize public school innovation and  
3 systemic school empowerment under the auspices of the Every  
4 Student Succeeds Act of 2015 (ESSA), authorized as P.L. 114-95.  
5 ESSA offers the State of Hawaii a new opportunity to set a  
6 renewed vision of high expectations and move away from a "one  
7 size fits all" approach to student learning. ESSA provides our  
8 public school system the authority to embrace public school  
9 innovation and systemic school empowerment, within a context of  
10 Hawaii's unique values, beliefs, culture, history and language.

11           The legislature further finds that there is a public  
12 benefit from school-level innovation, beginning with the  
13 development of exemplary leadership and elevation of the  
14 teaching profession. Such exemplary leadership will reflect  
15 school-level and community-based input, recognize visionary  
16 educational practices, and reward achievement of school-based  
17 targets. Teachers will be empowered to adopt educational

1 practices that support global learner outcomes based upon  
2 individual assessments rather than standardized testing.

3 The Board of Education shall, as a matter of statewide  
4 policy, encourage innovation in department of education schools  
5 that support global learner outcomes and recognize cultural  
6 context. All public schools shall be challenged to close  
7 achievement gaps and prepare students to be successful in a new  
8 innovation economy.

9 The purpose of this Act is to provide authority to the  
10 Board of Education to award grants to support school-level  
11 innovations reflecting visionary and aspirational educational  
12 practices that will result in closing student achievement gaps,  
13 and to provide a funding mechanism for these grants.

14 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
15 amended by adding two new sections to be appropriately  
16 designated and to read as follows:

17 "§302A- Public school innovation grants. (a) There is  
18 established within the department of education, a public school  
19 innovation grants program under the direction of the board of  
20 education. The board shall, on an annual basis:

21 (1) Adopt guiding principles and measures of success to  
22 implement the purposes of the program;

H.B. NO. 1092

- 1        (2) Develop a request for proposals based upon the guiding  
2                    principles and measures of success, including a  
3                    schedule of proposal submission and award deadlines;
- 4        (3) Ensure that information about the grant program is  
5                    published and broadcast via electronic media sites  
6                    managed by the department of education;
- 7        (4) Create a grant review and awards committee composed of  
8                    eleven members to include the board chairperson, a  
9                    second board member, the student board member, four  
10                   teachers, three principals, and one parent; provided  
11                   that the counties of Kauai, Maui, and Hawaii shall  
12                   each be represented by a committee member; and
- 13        (5) Make awards to schools or programs that reflect the  
14                    board's guiding principles and that have the potential  
15                    for knowledge transfer within the public school  
16                    system.
- 17        (c) Beginning with the convening of the 2019 regular  
18 session, the board of education shall submit to the legislature,  
19 an annual report including:
- 20                (1) A list of the schools or programs receiving the grants  
21                    and the amount of each grant;
- 22                (2) A description of the innovations being supported by  
23                    each grant; and

H.B. NO. 1092

1           (3) The measures of success being used for each grant.

2           §302A- Public school innovation grants special fund.

3           (a) There is established in the state treasury, the public  
4 school innovation grants special fund, into which shall be  
5 deposited:

6           (1) Fifty per cent of the carryover of funds pursuant to  
7 section 37-41.5(a);

8           (2) Appropriations made by the legislature to the fund;  
9 and

10          (3) All interest and earnings accruing from the investment  
11 of moneys in the fund.

12          (b) Moneys in the public school innovation grants special  
13 fund shall be used to make awards to schools or programs that  
14 reflect the board's guiding principles and that have the  
15 potential for knowledge transfer within the public school  
16 system."

17          SECTION 3. Section 37-41.5, Hawaii Revised Statutes, is  
18 amended by amending subsection (a), to read as follows:

19           “(a) The department of education may retain up to five per  
20 cent of any appropriation, except for appropriations to fund  
21 financing agreements entered into in accordance with chapter  
22 37D, at the close of a fiscal year; provided that the department  
23 shall transfer an amount for innovation grants as directed by

1 the board, for allocation to the public school innovation grants  
2 special fund and the funds retained shall not lapse until June  
3 30 of the first fiscal year of the next fiscal biennium. The  
4 department of education shall submit:

5 (1) A report to the director of finance ninety days after  
6 the close of each fiscal year, which shall be prepared  
7 in the form prescribed by the director of finance and  
8 shall identify the total amount of funds that will  
9 carry over to the next fiscal year; and

10 (2) A copy of this report to the legislature, as well as a  
11 report identifying the carryover of funds on a school-  
12 by-school basis, at least twenty days prior to the  
13 convening of the next regular session of the  
14 legislature."

15 SECTION 4. Section 302A-1101, Hawaii Revised Statutes,  
16 is amended by amending subsection (a) to read as follows:

17 "(a) There shall be a principal executive department to be  
18 known as the department of education, which shall be headed by a  
19 policy-making board to be known as the board of education. The  
20 board shall have power in accordance with law to formulate  
21 statewide educational policy, adopt student performance  
22 standards and assessment models, monitor school success,  
23 administer the public school innovation grants program, and

H.B. NO. 1092

1 appoint the superintendent of education as the chief executive  
2 officer of the public school system."

3 SECTION 5. There is appropriated out of the general  
4 revenues of the State of Hawaii, the sum of \$10,000,000 or so  
5 much thereof as may be necessary for fiscal year 2017-2018, for  
6 deposit into the public school innovation grants special fund.

7 The sum appropriated shall be expended by the department of  
8 education for the purposes of this Act.

9 SECTION 6. There is appropriated out of the public school  
10 innovation grants special fund the sum of \$10,000,000 or so much  
11 thereof as may be necessary for fiscal year 2017-2018, for the  
12 public school innovation grants program.

13 The sum appropriated shall be expended by the department of  
14 education for the purposes of this Act.

15 SECTION 7. New statutory material is underscored.

16 SECTION 8. This Act shall take effect on July 1, 2017.

17  
18 INTRODUCED BY: \_\_\_\_\_



19 BY REQUEST

JAN 23 2017

# H.B. NO. 1092

**Report Title:**

Public School Innovation Grants Program

**Description:**

Establishes the public school innovation grants program to support school-level innovations; authorizes the board of education to administer the grants program; provides a funding mechanism for these grants; establishes a special fund.

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

JUSTIFICATION SHEET

DEPARTMENT: OFFICE OF THE GOVERNOR

TITLE: A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL INNOVATION GRANTS

PURPOSE: Establish the Public School Innovation Grants Special Fund to fund the Public School Innovation Grants Program; amend the Department of Education's (DOE) carryover of funds to provide a funding mechanism for the Public School Innovation Grants; amend the Board of Education's powers to permit it to administer the Public School Innovation Grants Program; provide startup funding for the Public School Innovation Grants Special Fund; and appropriate moneys out of the Public School Innovation Grants Special Fund.

MEANS: Add two new sections to chapter 302A, Hawaii Revised Statutes (HRS) and amend sections 37-41.5 and 302A-1101, HRS.

JUSTIFICATION: The Every Student Succeeds Act (ESSA) reauthorized the Elementary and Secondary Education Act (ESEA) and renews the nation's commitment to equal opportunities for all students.

The State continues to move forward and improve its public education and its commitment to elementary and secondary school students.

This bill builds on that commitment and directs the Board of Education to:

- adopt measures and principles to ensure success of the program;
- develop a request for proposals;
- ensure information about the program is published online;
- create a grant review and awards committee;



- make awards to schools or programs that reflect the guiding principles; and
- submit an annual report on the grant program.

Impact on the public: Will promote school-level innovation and community-based input in educational practices.

Impact on the department and other agencies: While the total funding for the DOE will remain unchanged, funding for individual schools may vary.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: All EDN

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: July 1, 2017.