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# A BILL FOR AN ACT

RELATING TO THE BOARD OF EDUCATION.

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

1           SECTION 1. The legislature finds that the enactment of the  
2 Reinventing Education Act in the 2004 regular session and other  
3 education reform measures represent a positive first step  
4 towards improving test scores, teacher retention, and the  
5 overall quality of education. While there are many issues to be  
6 addressed, the legislature believes that providing the  
7 department of education with greater autonomy will lead to an  
8 improved system of accountability and quality of service.  
9 Establishing the department of education as a political  
10 subdivision will free the department from impediments that  
11 sometimes lead to delays in much needed improvements to the  
12 public educational system.

13           The constitutional amendments contained in S.B. No.       will  
14 grant the department of education the autonomy it requires to  
15 effectively oversee the educational needs of the State's  
16 students and teachers. With that measure, the board of  
17 education will be empowered to head the department of education



1 as a political subdivision in a manner similar to other  
2 political subdivisions of the State.

3 It is the intent of the legislature to provide the members  
4 of the board of education with proper compensation for their  
5 efforts in running the department of education. Accordingly,  
6 the purpose of this Act is to provide salaries for board of  
7 education members and require them to serve on a full-time  
8 basis.

9 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
10 amended by adding a new section to be appropriately designated  
11 and to read as follows:

12 **"§302A- Salary commission; established.** (a) There is  
13 established a salary commission for the members of the board of  
14 education. The salary commission shall consist of seven members  
15 appointed by the governor on or before August 31, 2007, and  
16 every four years thereafter. The members of the salary  
17 commission shall be selected from nominations submitted by the  
18 president of the senate and speaker of the house of  
19 representatives. The members shall serve without compensation,  
20 but shall be entitled to reimbursement for necessary expenses  
21 incurred in the discharge of their duties and responsibilities.



1        (b) Before the twentieth legislative day of the regular  
2 session of 2008 and every four years thereafter, the salary  
3 commission shall study and make recommendations to the  
4 legislature for the salary of the members of the board of  
5 education. The salary commission shall be dissolved on June 30,  
6 2008, and on June 30 every four years thereafter in which it  
7 submits recommendations to the legislature. The recommended  
8 salary shall be effective as of the date of the recommendation,  
9 unless the legislature disapproves the recommendation by  
10 adoption of a concurrent resolution prior to adjournment sine  
11 die of the legislative session in which the recommendation is  
12 submitted."

13        SECTION 3. Section 302A-1101, Hawaii Revised Statutes, is  
14 amended by amending subsection (a) to read as follows:

15        "(a) There shall be a principal executive department to be  
16 known as the department of education, which shall be headed by  
17 an elected policy-making board to be known as the board of  
18 education. Members of the board shall serve on a full-time  
19 basis. The board shall have power in accordance with law to  
20 formulate statewide educational policy, adopt student  
21 performance standards and assessment models, monitor school



1 success, and ~~to~~ appoint the superintendent of education as the  
2 chief executive officer of the public school system."

3 SECTION 4. Section 302A-1105, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "~~§302A-1105 [Compensation]~~ Salaries; expenses~~[-];~~

6 allowances. Board of education members shall ~~[be allowed]~~:

7 ~~[(1) Compensation at the rate of \$100 per day for each~~  
8 ~~day's actual attendance at meetings]~~

9 (1) Receive an annual salary, which shall be paid in equal  
10 amounts;

11 ~~(2) [Transportation]~~ Be allowed transportation fares  
12 between islands and abroad; ~~and]~~

13 ~~(3) [Personal]~~ Be allowed personal expenses at the rates  
14 specified by the board while attending board meetings  
15 or while on official business as authorized by the  
16 chairperson, when the board meetings or official  
17 business require a board member to leave the island  
18 upon which the board member resides~~[-]; and~~

19 (4) Be allowed a protocol allowance to cover expenses  
20 incurred in the course of a member's duties and  
21 responsibilities."



1 SECTION 5. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act, upon its approval, shall take effect  
4 on July 1, 2095, and upon the ratification of a constitutional  
5 amendment that makes the department of education a political  
6 subdivision headed by the board of education.



SB640, SD2

**REPORT Title:**

BOE; Annual Salaries; Membership; Autonomy

**Description:**

Requires board of education members to serve full-time and establishes a salary commission to recommend the salaries of the board members. Effective 7/1/2095 and upon ratification of constitutional amendment making the DOE a political subdivision.  
(SD2)

