

JAN 27 2010

---

---

# A BILL FOR AN ACT

RELATING TO THE SUPERINTENDENT OF EDUCATION.

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

1           SECTION 1. Chapter 302A, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§302A- Superintendent of education; appointment. (a)

5 The superintendent of education shall be nominated and, by and  
6 with the advice and consent of the senate, appointed by the  
7 governor from a list of three nominees submitted by the board of  
8 education.

9           (b) The superintendent may be appointed:

10           (1) Without regard to the state residency provisions of  
11 section 78-1(b); and

12           (2) For a term of up to four years."

13           SECTION 2. Section 302A-1101, Hawaii Revised Statutes, is  
14 amended by amending the title and subsections (a) and (b) to  
15 read as follows:

16           "§302A-1101 Department of education; board of education[+  
17 ~~superintendent of education]~~. (a) There shall be a principal

18 executive department to be known as the department of education,



1 which shall be headed by an elected policy-making board to be  
2 known as the board of education. The board shall have power in  
3 accordance with law to formulate statewide educational policy,  
4 adopt student performance standards and assessment models, and  
5 monitor school success [~~and to appoint the superintendent of~~  
6 ~~education as the chief executive officer of the public school~~  
7 ~~system]~~.

8 (b) The board [~~shall appoint, and]~~ may remove [~~7]~~ the  
9 superintendent by a majority vote of its members. The  
10 superintendent [+

11 ~~(1) May be appointed without regard to the state residency~~  
12 ~~provisions of section 78-1(b);~~

13 ~~(2) May be appointed for a term of up to four years; and~~

14 ~~(3) May]~~ may be terminated only for cause."

15 SECTION 3. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon the  
18 ratification of a constitutional amendment to Article X, section  
19 3, of the Constitution of the State of Hawaii that repeals the



1 board of education's power to appoint the superintendent of  
2 education.  
3

INTRODUCED BY: Clarence Mikulic



**Report Title:**

Superintendent of Education; Appointment

**Description:**

Provides that the superintendent of education shall be appointed by the governor subject to senate confirmation from a list of three nominees submitted by the board of education.

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

