

JAN 27 2010

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 significant changes
2 to the public education system, including clearer accountability
3 for the performance, administration, and progress of the public
4 education system, are needed to improve the quality of education
5 and student achievement. The legislature further finds that
6 changing the process of selecting members of the board of
7 education from election to appointments by the governor, similar
8 to the appointment process for the University of Hawaii board of
9 regents, makes the board members more accountable to the
10 governor while still allowing representatives of various
11 stakeholders in the public education system to inform the
12 governor's board appointments.

13 The purpose of this Act is to change the method of
14 selection of board of education members from election to
15 appointment by the governor, with the advice and consent of the
16 senate, from pools of qualified candidates presented to the



1 governor by a newly established board of education candidate
2 nomination commission.

3 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
4 amended by adding eight new sections to part IV to be
5 appropriately designated and to read as follows:

6 "§302A-A Board of education; members. (a) The board of
7 education shall consist of thirteen voting members. Pursuant to
8 article X, section 2 of the state constitution, the voting
9 members shall be appointed by the governor, with the advice and
10 consent of the senate, from pools of qualified candidates
11 presented to the governor by the board of education candidate
12 nomination commission established under section 302A-F. At
13 least twelve voting members shall represent and reside in the
14 specified geographic areas as follows:

- 15 (1) Two members from the county of Hawaii;
16 (2) Two members from the county of Maui;
17 (3) One member from the county of Kauai; and
18 (4) Seven members from the city and county of Honolulu.

19 (b) The Hawaii state student council shall select a public
20 high school student to serve as a nonvoting member on the board
21 of education.



1 (c) The board shall invite the senior military commander
2 in Hawaii to appoint a nonvoting military representative to the
3 board, who shall serve for a two-year term without compensation.
4 As the liaison to the board, the military representative shall
5 advise the board regarding state education policies and
6 departmental actions affecting students who are enrolled in
7 public schools as family members of military personnel. The
8 military representative shall carry out these duties as part of
9 the representative's official military duties and shall be
10 guided by applicable state and federal statutes, rules,
11 regulations, and policies and may be removed only for cause by a
12 majority vote of the members of the board.

13 **§302A-B Departmental school districts.** The departmental
14 school districts shall be as follows:

15 (1) First departmental school district (Hawaii): the
16 island of Hawaii comprised of the 1st through the 5th
17 and a portion of the 6th (that portion found on the
18 island of Hawaii) representative districts;

19 (2) Second departmental school district (Maui): the
20 islands of Maui, Molokai (including the county of
21 Kalawao), Lanai, and Kahoolawe comprised of a portion



- 1 of the 6th (that portion found on the island of Maui)
2 and the 7th through the 10th representative districts;
- 3 (3) Third departmental school district (Honolulu): that
4 portion of the island of Oahu comprised of the 21st
5 through the 41st representative districts;
- 6 (4) Fourth departmental school district (Central Oahu):
7 that portion of the island of Oahu comprised of the
8 11th through the 14th and the 45th representative
9 districts;
- 10 (5) Fifth departmental school district (Leeward Oahu):
11 that portion of the island of Oahu comprised of the
12 42nd through the 44th, the 46th through the 48th and a
13 portion of the 49th (that portion found on the island
14 of Oahu) representative districts;
- 15 (6) Sixth departmental school district (Windward Oahu):
16 that portion of the island of Oahu comprised of the
17 15th through the 20th representative districts; and
- 18 (7) Seventh departmental school district (Kauai): the
19 islands of Kauai and Niihau comprised of a portion of
20 the 49th (that portion found on the island of Kauai)
21 and the 50th and 51st representative districts.



1 §302A-C Reapportionment. Upon the implementation of a new
2 apportionment plan, the chief election officer, by proclamation
3 issued no later than the tenth day prior to the close of filing
4 in elections, shall designate the representative districts that
5 comprise the departmental school districts described in section
6 302A-B to comply with the new districting scheme of such plan;
7 provided that the departmental school districts designated shall
8 cover areas similar to those described in section 302A-B.

9 §302A-D Board members; qualifications. No person shall be
10 eligible for appointment to the board of education unless the
11 person is a resident and registered voter of the county from
12 which the person is to be appointed. No member of the board
13 shall hold or be a candidate for any other public office under
14 the state or county governments; nor shall a person be eligible
15 for appointment to the board of education if that person is also
16 a candidate for any other public office under the state or
17 county government. The term "public office", for the purposes
18 of this section, shall not include notaries public, reserve
19 police officers, or officers of emergency organizations for
20 civilian defense or disaster relief.

21 §302A-E Board members; terms, vacancies. (a) The term of
22 office of members of the board shall be four years, commencing



1 on July 1 and expiring on June 30; provided that the three
2 members initially nominated by the members of the board of
3 education candidate nomination committee who have been appointed
4 by the speaker of the house of representatives, the president of
5 the senate, and the governor shall serve for terms of two years.

6 (b) Any vacancy that may occur through any cause other
7 than the expiration of the term of office shall be filled in
8 accordance with sections 17-6 and 302A-F.

9 §302A-F Board of education candidate nomination
10 commission; establishment, duties. (a) There is established
11 the board of education candidate nomination commission to
12 present to the governor pools of qualified candidates from which
13 the members of the board of education shall be nominated and
14 appointed by the governor with the advice and consent of the
15 senate. The candidate nomination commission shall establish the
16 criteria for qualifying, screening, and presenting to the
17 governor candidates for membership on the board of education.
18 The candidate nomination commission shall be attached to the
19 department of education for administrative purposes.

20 (b) Except as provided in subsection (c), within sixty
21 days of convening its first meeting, the candidate nomination
22 commission shall present no fewer than two and no more than four



1 qualified candidates to the governor for each vacant seat on the
2 board of education that has arisen due to resignation, death, or
3 removal by the governor; provided that for all subsequent
4 presentations to the governor, the candidate nomination
5 commission shall present no fewer than two and no more than four
6 candidates for each seat on the board of education to the
7 governor within:

8 (1) Thirty days of a vacancy that arises by resignation,
9 death, or removal by the governor; or

10 (2) One hundred twenty days prior to the expiration of a
11 term.

12 (c) When there are multiple seats vacant within the same
13 county, the candidate nomination commission shall present
14 candidates for seats on the board of education to the governor
15 as follows:

16 (1) For two seats from the same county, no fewer than four
17 and no more than six candidates;

18 (2) For three seats from the same county, no fewer than
19 five and no more than eight candidates; and

20 (3) For more than three seats, the candidate nomination
21 commission shall determine appropriate minimum numbers
22 of candidates, which shall provide for at least three



1 candidates for the final seat, and maximum numbers of
2 candidates.

3 (d) In making its presentations, the candidate nomination
4 commission shall:

5 (1) Develop a statement that includes the selection
6 criteria to be applied and a description of the
7 responsibilities and duties of a member of the board
8 of education and distribute this statement to
9 potential candidates;

10 (2) Screen and qualify candidates for each position on the
11 board of education based on their background,
12 experience, and potential for discharging the
13 responsibilities of a member of the board of
14 education;

15 (3) Publicly advertise pending vacancies and actively
16 solicit and accept applications from potential
17 candidates;

18 (4) Develop and implement a fair, independent, and
19 nonpartisan procedure for selecting candidates to
20 serve on the board of education; and

21 (5) Require each candidate to disclose any existing or
22 anticipated contracts with the department of education



1 or any existing or anticipated financial transactions
2 with the department of education.

3 Upon submission to the governor, presentations of the candidate
4 nomination commission shall be made available to the public by
5 the department of education.

6 (e) For each board seat to be filled, the governor shall
7 select one nominee from among the candidate nomination
8 commission's presentation within days of the presentation.

9 (f) Notwithstanding chapter 92F or any other law to the
10 contrary, all information required by the board of education
11 candidate nomination commission shall be confidential, including
12 without limitation, all information obtained, reviewed, or
13 considered before and after commission decision-making.

14 Confidential candidate nomination commission information shall
15 include documents, data, or other information that is not of
16 public record, including without limitation, personal financial
17 information; the names of applicants; applications and the
18 personal, financial, and other information contained therein
19 submitted by the applicants to the candidate nomination
20 commission; interviews; schedules; reports; studies; background
21 checks; credit reports; surveys and reports prepared for or on
22 the candidate nomination commission's behalf; the results of any



1 evaluations or assessments conducted by the candidate nomination
2 commission; the substance and details of any discussions with
3 candidate nomination commission members; and the substance and
4 details of discussions and deliberations of the candidate
5 nomination commission and any of its committees during meetings.

6 §302A-G Board of education candidate nomination

7 commission; members, terms, vacancies. (a) The candidate
8 nomination commission shall consist of seven members to be
9 appointed without regard to section 26-34 as follows:

- 10 (1) One member shall be appointed by the president of the
11 senate;
- 12 (2) One member shall be appointed by the speaker of the
13 house of representatives;
- 14 (3) One member shall be appointed by the governor;
- 15 (4) One member shall be appointed by the Hawaii State
16 Teachers Association;
- 17 (5) One member shall be appointed by the Hawaii P-20
18 council;
- 19 (6) One member shall be the president of a school
20 community council appointed by the superintendent of
21 education; and



1 (7) One member shall be appointed by the chairperson of
2 the executive council of the Hawaii state student
3 council.

4 (b) Members of the candidate nomination commission shall
5 be selected in a wholly nonpartisan manner. If any member has
6 not been appointed within one hundred eighty days of the
7 effective date of Act , Session Laws of Hawaii 2010, the
8 sitting members on the candidate nomination commission shall
9 make an interim appointment to fill the vacant seat. The
10 interim appointee shall satisfy the requirements for appointment
11 provided in this subsection and shall serve until the time when
12 the appropriate appointing authority makes an appointment for
13 the vacant seat as provided in this subsection. Appointees to
14 the candidate nomination commission shall have a general
15 understanding of the purposes, mission, and responsibilities of
16 the board of education and the department of education.
17 Appointees shall be individuals who are widely viewed as having
18 placed the broad public interest ahead of special interests,
19 having achieved a high level of prominence in their respective
20 professions, and being respected members of the community.

21 (c) Members of the candidate nomination commission shall
22 serve four-year terms; provided that the three members initially



1 appointed by the governor, the president of the senate, and the
2 speaker of the house of representatives shall serve for terms of
3 two years; provided further that terms for appointments of the
4 initial members of the candidate nomination commission shall be
5 deemed to begin on July 1 following the effective date of
6 Act _____, Session Laws of Hawaii 2010, regardless of the actual
7 date of appointment.

8 (d) Members of the candidate nomination commission shall
9 serve without compensation but shall be reimbursed for expenses,
10 including travel, board, and lodging expenses, necessary for the
11 performance of their duties.

12 (e) The candidate nomination commission shall operate in a
13 wholly nonpartisan manner. No individual, while a member of the
14 candidate nomination commission, shall run for or hold any
15 elected office under the United States or the State or any of
16 its political subdivisions.

17 (f) If a vacancy occurs, a successor shall be appointed in
18 the same manner and subject to the same qualifications as the
19 person's predecessor. The person appointed to fill a vacancy
20 shall serve for the remainder of the term of the person's
21 predecessor.



1 §302A-H Board of education candidate nomination

2 commission; meetings. The candidate nomination commission shall
3 convene its first meeting on or after thirty-one days from the
4 effective date of Act ; Session Laws of Hawaii 2010;
5 provided that, if thirty days after the effective date of Act
6 , Session Laws of Hawaii 2010, all the members to which the
7 candidate nomination commission is entitled have not yet been
8 appointed, the candidate nomination commission shall convene its
9 first meeting upon the appointment of a majority of its members.
10 The members of the candidate nomination commission shall choose
11 a chairperson from among themselves. A majority of all the
12 members to which the candidate nomination commission is entitled
13 shall constitute a quorum to conduct business. The concurrence
14 of a majority of all the members to which the candidate
15 nomination commission is entitled shall be necessary to make any
16 action of the candidate nomination commission valid. The
17 candidate nomination commission shall meet annually and at other
18 times as necessary. The candidate nomination commission shall
19 be exempt from part I of chapter 92."

20 SECTION 3. Section 11-157, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "§11-157 In case of tie. In case of the failure of an
2 election by reason of the equality of vote between two or more
3 candidates, the tie shall be decided by the chief election
4 officer or county clerk in the case of county elections in
5 accordance with the following procedure:

6 (1) In the case of an election involving a seat for the
7 senate, house of representatives, [~~board of~~
8 ~~education,~~] or county council where only voters within
9 a specified district are allowed to cast a vote, the
10 winner shall be declared as follows:

11 (A) For each precinct in the affected district, an
12 election rate point shall be calculated by
13 dividing the total voter turnout in that precinct
14 by the total voter turnout in the district. For
15 the purpose of this subparagraph, the absentee
16 votes cast for the affected district shall be
17 treated as a precinct. The election rate point
18 shall be calculated by dividing the total
19 absentee votes cast for the affected district by
20 the total voter turnout in that district. All
21 election rate points shall be expressed as



1 decimal fractions rounded to the nearest hundred
2 thousandth.

3 (B) The candidate with the highest number of votes in
4 a precinct shall be allocated the election rate
5 point calculated under subparagraph (A) for that
6 precinct. In the event that two or more persons
7 are tied in receiving the highest number of votes
8 for that precinct, the election rate point shall
9 be equally apportioned among those candidates
10 involved in that precinct tie.

11 (C) After the election rate points calculated under
12 subparagraph (A) for all the precincts have been
13 allocated as provided under subparagraph (B), the
14 election rate points allocated to each candidate
15 shall be tallied and the candidate with the
16 highest election rate point total shall be
17 declared the winner.

18 (D) If there is a tie between two or more candidates
19 in the election rate point total, the candidate
20 who is allocated the highest election rate points
21 from the precinct with the largest voter turnout
22 shall be declared the winner.



1 (2) In the case of an election involving a federal office
2 or an elective office where the voters in the entire
3 State or in an entire county are allowed to cast a
4 vote, the winner shall be declared as follows:

5 (A) For each representative district in the State or
6 county, as the case may be, an election rate
7 point shall be calculated by dividing the total
8 voter turnout in that representative district by
9 the total voter turnout in the state, county, or
10 federal office district, as the case may be;
11 provided that for purposes of this subparagraph:

12 (i) The absentee votes cast for a statewide,
13 countywide, or federal office shall be
14 treated as a separate representative
15 district and the election rate point shall
16 be calculated by dividing the total absentee
17 votes cast for the statewide, countywide, or
18 federal office by the total voter turnout in
19 the state, county, or federal office
20 district, as the case may be.

21 (ii) The overseas votes cast for any election in
22 the State for a federal office shall be



1 treated as a separate representative
2 district and the election rate point shall
3 be calculated by dividing the total number
4 of overseas votes cast for the affected
5 federal office by the total voter turnout in
6 the affected federal office district. The
7 term "overseas votes" means those votes cast
8 by absentee ballots for a presidential
9 election as provided in section 15-3.

10 All election rate points shall be expressed as
11 decimal fractions rounded to the nearest hundred
12 thousandth.

13 (B) The candidate with the highest number of votes in
14 a representative district shall be allocated the
15 election rate point calculated under subparagraph
16 (A) for that district. In the event that two or
17 more persons are tied in receiving the highest
18 number of votes for that district, the election
19 rate point shall be equally apportioned among
20 those candidates involved in that district tie.

21 (C) After the election rate points calculated under
22 subparagraph (A) for all the precincts have been



1 allocated as prescribed under subparagraph (B),
2 the election rate points allocated to each
3 candidate shall be tallied and the candidate with
4 the election rate point total shall be declared
5 the winner.

6 (D) If there is a tie between two or more candidates
7 in the election rate point total, the candidate
8 who is allocated the highest election rate points
9 from the representative district with the largest
10 voter turnout shall be declared the winner."

11 SECTION 4. Section 11-195, Hawaii Revised Statutes, is
12 amended by amending subsection (d) to read as follows:

13 "(d) For purposes of this subpart, whenever a report is
14 required to be filed with the commission, "filed" means
15 electronically filed on the commission's electronic filing
16 system by the date and time specified for the filing of the
17 report by the:

18 (1) Candidate or the committee of a candidate who is
19 seeking election to the:

- 20 (A) Office of governor;
- 21 (B) Office of lieutenant governor;
- 22 (C) Office of mayor;



- 1 (D) Office of prosecuting attorney;
- 2 (E) County council;
- 3 (F) Senate;
- 4 (G) House of representatives; or
- 5 (H) Office of Hawaiian affairs; or
- 6 [~~(I) Board of education; or~~]

7 (2) Noncandidate committee required to be registered with
8 the commission pursuant to section 11-194."

9 SECTION 5. Section 11-209, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) From January 1 of the year of any primary, special,
12 or general election, the total expenditures for each election
13 for candidates who voluntarily agree to limit their campaign
14 expenditures, inclusive of all expenditures made or authorized
15 by the candidate alone and all campaign treasurers and
16 committees in the candidate's behalf, shall not exceed the
17 following amounts expressed respectively multiplied by the
18 number of voters in the last preceding general election
19 registered to vote in each respective voting district:

- 20 (1) For the office of governor--\$2.50;
- 21 (2) For the office of lieutenant governor--\$1.40;
- 22 (3) For the office of mayor--\$2.00;



- 1 (4) For the offices of state senator, state
2 representative, and county council member--\$1.40; and
3 (5) For [~~the offices of the board of education and~~] all
4 other offices--20 cents."

5 SECTION 6. Section 11-218, Hawaii Revised Statutes, is
6 amended by amending subsection (d) to read as follows:

7 "(d) For [~~the board of education and~~] all other offices,
8 the maximum amount of public funds available to a candidate
9 shall not exceed \$100 in any election year."

10 SECTION 7. Section 12-5, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

12 "(a) Nomination papers for candidates for members of
13 Congress, governor, and lieutenant governor[~~, and the board of~~
14 ~~education~~] shall be signed by not less than twenty-five
15 registered voters of the State or of the Congressional district
16 [~~or school board district~~] from which the candidates are running
17 in the case of candidates for the United States House of
18 Representatives [~~or for the board of education~~]."

19 SECTION 8. Section 17-6, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "\$17-6 **Board of education members.** (a) The governor
22 shall make an appointment to fill any vacancy in the membership



1 of the board of education for the unexpired term of that vacancy
2 ~~[whenever a vacancy occurs and the term of that vacancy ends at~~
3 ~~the time of the next succeeding general election.]~~ pursuant to
4 section 302A-F.

5 ~~[(b) In the case of a vacancy, the term of which does not~~
6 ~~end at the next succeeding general election:~~

7 ~~(1) If it occurs not later than on the sixtieth day prior~~
8 ~~to the next succeeding general election, the vacancy~~
9 ~~shall be filled for the unexpired term at the next~~
10 ~~succeeding general election. The chief election~~
11 ~~officer shall issue a proclamation designating the~~
12 ~~election for filling the vacancy. All candidates for~~
13 ~~the unexpired term shall file nomination papers not~~
14 ~~later than 4:30 p.m. on the fiftieth day prior to the~~
15 ~~general election (but if such day is a Saturday,~~
16 ~~Sunday, or holiday then not later than 4:30 p.m. on~~
17 ~~the first working day immediately preceding) and shall~~
18 ~~be elected in accordance with this title. Pending the~~
19 ~~election the governor shall make a temporary~~
20 ~~appointment to fill the vacancy and the person so~~
21 ~~appointed shall serve until the election of the person~~
22 ~~duly elected to fill such vacancy.~~



1 ~~(2) If it occurs after the sixtieth day prior to the next~~
2 ~~succeeding general election, the governor shall make~~
3 ~~an appointment to fill the vacancy for the unexpired~~
4 ~~term.~~

5 ~~(e)]~~ (b) All appointments made by the governor under this
6 section shall be made without consideration of the appointee's
7 party affiliation or preference or nonpartisanship, however the
8 persons so appointed shall meet the residency requirement
9 specified in section ~~[13-1.]~~ 302A-D."

10 SECTION 9. Section 26-35.5, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

12 "(a) For purposes of this section, "member" means any
13 person who is appointed, in accordance with the law, to serve on
14 a temporary or permanent state board, including members of the
15 local school board of any charter school established under
16 chapter 302B, council, authority, committee, or commission,
17 established by law or ~~[elected]~~ appointed to the board of
18 education, or the board of trustees of the employees' retirement
19 system under section 88-24, or the corporation board of the
20 Hawaii health systems corporation under section 323F-3 and its
21 regional system boards under section 323F-3.5; provided that
22 "member" shall not include any person elected to serve on a



1 board or commission in accordance with chapter 11 [~~other than a~~
2 ~~person elected to serve on the board of education~~]."

3 SECTION 10. Section 84-17, Hawaii Revised Statutes, is
4 amended by amending subsection (d) to read as follows:

5 "(d) The financial disclosure statements of the following
6 persons shall be public records and available for inspection and
7 duplication:

- 8 (1) The governor, the lieutenant governor, the members of
9 the legislature, candidates for and delegates to the
10 constitutional convention, [~~the members of the board~~
11 ~~of education,~~] the trustees of the office of Hawaiian
12 affairs, and candidates for state elective offices;
- 13 (2) The directors of the state departments and their
14 deputies, regardless of the titles by which the
15 foregoing persons are designated; provided that with
16 respect to the department of the attorney general, the
17 foregoing shall apply only to the attorney general and
18 the first deputy attorney general;
- 19 (3) The administrative director of the State;
- 20 (4) The president, the vice presidents, the assistant vice
21 presidents, the chancellors, and the provosts of the
22 University of Hawaii;



1 (5) The members of the board of education and the
2 superintendent, the deputy superintendent, the state
3 librarian, and the deputy state librarian of the
4 department of education;

5 (6) The administrative director and the deputy director of
6 the courts; and

7 (7) The administrator and the assistant administrator of
8 the office of Hawaiian affairs."

9 SECTION 11. Section 84-41, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "[-]§84-41[+] **Applicability of part.** This part applies to
12 legislators, [~~elected members of the board of education,~~]
13 trustees of the office of Hawaiian affairs, the governor, the
14 lieutenant governor, and executive department heads and
15 deputies. This part does not apply to any other officer or
16 employee of the State."

17 SECTION 12. Section 88-21, Hawaii Revised Statutes, is
18 amended by amending the definitions of "elective officer" and
19 "elective official" to read as follows:

20 ""Elective officer" or "elective official": any person
21 elected to a public office or appointed to fill a vacancy of an
22 elective office, except as a delegate to a constitutional



1 convention [~~or member of the board of education~~], in accordance
2 with an election duly held in the State or counties under
3 chapter 11; provided that the person receives compensation, pay,
4 or salary for such office."

5 SECTION 13. Section 302A-1101, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§302A-1101 Department of education; board of education;**
8 **superintendent of education.** (a) There shall be a principal
9 executive department to be known as the department of education,
10 which shall be headed by an [~~elected~~] appointed policy-making
11 board to be known as the board of education. The board shall
12 have power in accordance with law to formulate statewide
13 educational policy, adopt student performance standards and
14 assessment models, monitor school success, and to appoint the
15 superintendent of education as the chief executive officer of
16 the public school system.

17 (b) The board shall appoint, and may remove, the
18 superintendent by a majority vote of its members. The
19 superintendent:

20 (1) May be appointed without regard to the state residency
21 provisions of section 78-1(b);

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



1 (3) May be terminated only for cause.

2 [~~(c)~~] ~~The board shall invite the senior military commander~~
3 ~~in Hawaii to appoint a nonvoting military representative to the~~
4 ~~board, who shall serve for a two year term without compensation.~~
5 ~~As the liaison to the board, the military representative shall~~
6 ~~advise the board regarding state education policies and~~
7 ~~departmental actions affecting students who are enrolled in~~
8 ~~public schools as family members of military personnel. The~~
9 ~~military representative shall carry out these duties as part of~~
10 ~~the representative's official military duties and shall be~~
11 ~~guided by applicable state and federal statutes, regulations,~~
12 ~~and policies and may be removed only for cause by a majority~~
13 ~~vote of the members of the board.~~

14 ~~(d)]~~ (c) The board shall appoint the charter school review
15 panel, which shall serve as the charter authorizer for charter
16 schools, with the power and duty to issue charters, oversee and
17 monitor charter schools, hold charter schools accountable for
18 their performance, and revoke charters."

19 SECTION 14. Section 302A-1110, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "[~~+~~]§302A-1110[~~+~~] Educational districts not applicable.

22 The educational districts established by section 4-1 shall not



1 be applicable to, nor alter, the school board or departmental
2 school districts, established by section [~~13-17~~] 302A-A, or the
3 school districts established for administrative purposes by the
4 department."

5 SECTION 15. Chapter 13, Hawaii Revised Statutes, is
6 repealed.

7 SECTION 16. Notwithstanding the requirements of section
8 302-E, Hawaii Revised Statutes, the terms of the members of the
9 board of education that expire on November 4, 2014, pursuant to
10 section 302A-E, Hawaii Revised Statutes, shall instead expire on
11 June 30, 2012, upon the effective date of this Act.

12 SECTION 17. In codifying the new sections added by
13 section 2 of this Act, the revisor of statutes shall substitute
14 appropriate section numbers for the letters used in designating
15 the new sections in this Act.

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

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



1 and upon compliance with article XVII, section 3, of the
2 Constitution of the State of Hawaii.

3

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Report Title:

Board of Education; Candidate Nomination Commission

Description:

Establishes the board of education candidate nomination commission to nominate candidates for the board of education to be appointed by the governor.

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

