

JAN 22 2010

---

---

# A BILL FOR AN ACT

PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION.

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

1 SECTION 1. The purpose of this Act is to propose  
2 amendments to article X, sections 2 and 3, of the Hawaii  
3 Constitution relating to the board of education.

4 SECTION 2. Article X, section 2, of the Hawaii  
5 Constitution is amended to read as follows:

6 "BOARD OF EDUCATION

7 Section 2. There shall be a board of education [composed  
8 of members who shall be elected in a nonpartisan manner by  
9 qualified voters, as provided by law, from two at-large school  
10 board districts. The first school board district shall be  
11 comprised of the island of Oahu and all other islands not  
12 specifically enumerated. The second school board district shall  
13 be comprised of the islands of Hawaii, Maui, Lanai, Molokai,  
14 Kaheolawe, Kauai and Niihau. Each at-large school board  
15 district shall be divided into departmental school districts, as  
16 may be provided by law. There shall be at least one member  
17 residing in each departmental school district. The Hawaii State



1 ~~Student Council shall select a public high school student to~~  
2 ~~serve as a nonvoting member on the board of education.]~~, the  
3 members of which shall be nominated and, by and with the advice  
4 and consent of the senate, appointed by the governor from pools  
5 of qualified candidates presented to the governor by the board  
6 of education selection advisory council, as provided by law.  
7 The Hawaii State Student Council shall select a public high  
8 school student to serve as a nonvoting member on the board of  
9 education. At least part of the membership of the board, except  
10 for the student member, shall represent geographic subdivisions  
11 of the State."

12 SECTION 3. Article X, section 3, of the Hawaii  
13 Constitution is amended to read as follows:

14 "POWER OF THE BOARD OF EDUCATION

15 Section 3. The board of education shall have the power, as  
16 provided by law, to formulate statewide educational policy,  
17 restructure the department of education to ensure that it is  
18 decentralized in a manner to promote student growth and  
19 achievement and greater accountability, monitor and protect  
20 student rights provided by law and appoint the superintendent of  
21 education as the chief executive officer of the public school  
22 system."



1 SECTION 4. The question to be printed on the ballot shall  
2 be as follows:

3 "Shall the board of education:

4 (1) Be made up of members who are nominated and, by and  
5 with the advice and consent of the state senate,  
6 appointed by the governor from pools of qualified  
7 candidates presented to the governor by the board of  
8 education selection advisory council, as provided by  
9 law; and

10 (2) Have the power to:

11 (A) Monitor and protect student rights provided by  
12 law; and

13 (B) Restructure the department of education to ensure  
14 that it is decentralized in a manner to promote  
15 student growth and achievement and greater  
16 accountability?"

17 SECTION 5. Constitutional material to be repealed is  
18 bracketed and stricken. New constitutional material is  
19 underscored.



1 SECTION 6. These amendments shall take effect upon  
2 compliance with article XVII, section 3, of the Hawaii  
3 Constitution.

4

INTRODUCED BY:

Norman Sakomai



**Report Title:**

Constitutional Amendments; Education

**Description:**

Proposes constitutional amendments to Article X, Sections 2 and 3, of the Hawaii Constitution relating to 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.*

