

JAN 22 2010

S.B. NO. 2570

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII
CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN
ELECTED BOARD TO AN APPOINTED BOARD.

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

1 SECTION 1. The legislature finds that the responsibility
2 and authority for public education is ambiguous. The board of
3 education is responsible for establishing education policy, yet
4 the legislature has the authority to fund public education and
5 therefore can continue, discontinue, or create programs without
6 the approval of the board of education and some members of the
7 public believe that the governor has the authority to make
8 changes in the public school system. The legislature finds that
9 significant changes to the public education system, including
10 clearer accountability for the performance, administration, and
11 progress of the public education system, are needed to improve
12 the quality of education and student achievement.

13 The purpose of this Act is to propose a constitutional
14 amendment to change the method of selection of the voting
15 members of the board of education from election to appointment
16 by the governor, with the advice and consent of the senate.



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

3 **"BOARD OF EDUCATION**

4 **Section 2.** There shall be a board of education [~~composed~~
5 ~~of members who shall be elected in a nonpartisan manner by~~
6 ~~qualified voters, as provided by law, from two at large school~~
7 ~~board districts. The first school board district shall be~~
8 ~~comprised of the island of Oahu and all other islands not~~
9 ~~specifically enumerated. The second school board district shall~~
10 ~~be comprised of the islands of Hawaii, Maui, Lanai, Molokai,~~
11 ~~Kahoolawe, Kauai and Niihau. Each at large school board~~
12 ~~district shall be divided into departmental school districts, as~~
13 ~~may be provided by law. There shall be at least one member~~
14 ~~residing in each departmental school district.] whose voting
15 members shall be appointed by the governor, with the advice and
16 consent of the senate, from pools of qualified candidates
17 presented to the governor by the board of education candidate
18 nomination commission, as provided by law. The Hawaii State
19 Student Council shall select a public high school student to
20 serve as a nonvoting member on the board of education."~~

21 SECTION 3. The question to be printed on the ballot shall
22 be as follows:



1 "Shall the voting members of the board of education be
 2 appointed by the governor, with the advice and consent of
 3 the senate, from pools of qualified candidates presented to
 4 the governor by the board of education candidate nomination
 5 board, as provided by law?"

6 SECTION 4. Constitutional material to be repealed is
 7 bracketed and stricken. New constitutional material is
 8 underscored.

9 SECTION 5. This amendment shall take effect upon
 10 compliance with article XVII, section 3, of the Constitution of
 11 the State of Hawaii.

12

INTRODUCED BY:

Norman Sakamoto
[Signature]
Michelle D. Kudari
[Signature]
Anna Mercedes K.
Clarence A. Suihika
Trizanne Ann Aselrad
[Signature]
Russell K. Koh



Report Title:

Board of Education; Constitutional Amendment

Description:

Proposes a constitutional amendment to require voting members of the board of education to be appointed by the governor, with the advice and consent of the senate, as provided by law.

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

