

JAN 26 2011

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. Section 302A-1101, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§302A-1101 Department of education; board of education;**
4 **superintendent of education[-]; staff.** (a) There shall be a
5 principal executive department to be known as the department of
6 education, which shall be headed by an elected policy-making
7 board to be known as the board of education. The board shall
8 have power in accordance with law to formulate statewide
9 educational policy, adopt student performance standards and
10 assessment models, monitor school success, and to appoint the
11 superintendent of education as the chief executive officer of
12 the public school system.

13 (b) The board shall appoint, and may remove, the
14 superintendent by a majority vote of its members. The
15 superintendent:

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

18 (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) 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 (e) The board shall hire an executive director for a term
20 of up to four years. The board may hire the executive director
21 through the execution of a written contract; provided that the
22 board may cancel or rescind the contract at any time, but only



1 for cause. The executive director may hire staff, including
2 analysts, administrative staff, and other employees, who shall
3 be exempt from chapters 76 and 89, as necessary for the
4 performance of the board's functions and duties."

5 SECTION 2. No employee of the department of education or
6 the board of education as of the effective date of this Act
7 shall suffer any loss of salary, seniority, prior service
8 credit, vacation, sick leave, or other employee benefits or
9 privilege as a consequence of this Act.

10 SECTION 3. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY: 

By Request



Report Title:

Board of Education; Staff

Description:

Requires the board of education to hire an executive director.
Allows executive director to hire staff.

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

