
A BILL FOR AN ACT

PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII
RELATING TO PUBLIC EDUCATION.

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

1 SECTION 1. The purpose of this Act is to propose a
2 constitutional amendment that would reform the existing public
3 education system by transferring responsibility for the public
4 schools in this State to seven or more independent school
5 districts each governed by an elected local school board.

6 SECTION 2. Article X of the Constitution of the State of
7 Hawaii is amended by adding two new sections to be designated
8 and to read as follows:

9 "LOCAL SCHOOL BOARDS

10 Section . Public education in the State shall be
11 provided through a decentralized system of independent school
12 districts with schools required to follow and satisfy statewide
13 student performance standards, as provided by law.

14 There shall be at least seven local school boards to
15 oversee their respective school districts. Members of each
16 local school board shall be elected by qualified voters, as
17 provided by law. Each local school board shall:



- 1 (1) Formulate district-wide educational policies;
- 2 (2) Select principals to manage the schools in the local
- 3 school board's school district;
- 4 (3) Authorize the principal of each school to make the
- 5 decisions that affect student performance, educational
- 6 quality, and use of resources;
- 7 (4) Evaluate the principals managing schools in the local
- 8 school board's school district;
- 9 (5) Administer programs that the schools are not able to
- 10 administer alone; and
- 11 (6) Establish an open system that allows, to the extent
- 12 practicable given each school's resources and
- 13 capacity, the parents, guardians, and caretakers of
- 14 each public school student to select the school that
- 15 the student will attend.

16 **EDUCATION STANDARDS AND ACCOUNTABILITY COMMISSION**

17 Section . There shall be an education standards and

18 accountability commission, as provided by law, to:

- 19 (1) Establish and maintain rigorous academic and data-
- 20 reporting standards that apply to all school districts
- 21 within the statewide public education system;



- 1 (2) Ensure that the school districts operate in an open
- 2 manner;
- 3 (3) Publish annual report cards on each school district's
- 4 financial management and overall performance;
- 5 (4) Ensure that all state and federal mandates are
- 6 fulfilled;
- 7 (5) Establish a formula for distributing general funds for
- 8 school operations to all public schools based on the
- 9 number and needs of students enrolled at each school;
- 10 (6) Establish a formula for the distribution of capital
- 11 improvement project funds to the school districts; and
- 12 (7) Administer programs that the school districts cannot
- 13 administer alone.

14 The legislature shall appropriate all general funds for
15 school operations in a single amount to the education standards
16 and accountability commission.

17 The legislature shall appropriate all capital improvement
18 project funds for school capital improvement projects in a
19 single amount to the education standards and accountability
20 commission."

21 SECTION 3. Article XVI, section 4, of the Constitution of
22 the State of Hawaii is amended to read as follows:



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"OATH OF OFFICE

Section 4. All eligible public officers, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as to the best of my ability." As used in this section, "eligible public officers" means the governor, the lieutenant governor, the members of both houses of the legislature, the members of the [~~board of education,~~] local school boards, the members of the national guard, State or county employees who possess police powers, district court judges, and all those whose appointment requires the consent of the senate."

SECTION 4. Article X, section 2 and 3, of the Constitution of the State of Hawaii are repealed.

~~["BOARD OF EDUCATION~~

~~Section 2. There shall be a board of education. The governor shall nominate and, by and with the advice and consent of the senate, appoint the members of the board of education, as provided by law.~~

1 ~~POWER OF THE BOARD OF EDUCATION~~

2 ~~Section 3. The board of education shall have the power, as~~
3 ~~provided by law, to formulate statewide educational policy and~~
4 ~~appoint the superintendent of education as the chief executive~~
5 ~~officer of the public school system."]~~

6 SECTION 5. Article XVIII, section 7, of the Constitution
7 of the State of Hawaii, is repealed.

8 [~~1978 BOARD OF EDUCATION ELECTIONS~~

9 ~~Section 7. Members elected to the board of education in~~
10 ~~the 1978 general election shall serve for two year terms."]~~

11 SECTION 6. The question to be printed on the ballot shall
12 be as follows:

13 "Shall the statewide appointed board of education be
14 abolished and replaced by at least seven elected local
15 school boards?"

16 SECTION 7. Constitutional material to be repealed is
17 bracketed and stricken. New constitutional material is
18 underscored.

19 SECTION 8. This amendment shall take effect upon
20 compliance with article XVII, section 3, of the Constitution of

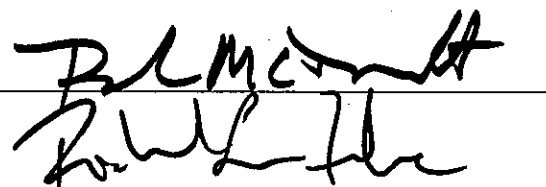


H.B. NO. 1051

1 the State of Hawaii; provided that, subject to ratification,
2 section 4 shall take effect on July 1, 2016.

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INTRODUCED BY:



JAN 23 2013



H.B. NO. 1051

Report Title:

Constitutional Amendment; Public Education; Elected Local School Boards

Description:

Proposes a constitutional amendment that would: (1) establish local school boards throughout the State to be elected from at least 7 school districts as provided by law; and (2) create an educational standards and accountability commission.

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

