

JAN 24 2013

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Section 302A-121, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The board shall consist of [~~nine~~] twelve members as
4 follows:

5 (1) One member from the county of Hawaii;

6 (2) One member from the county of Maui;

7 (3) One member from the county of Kauai;

8 (4) Three members from the city and county of Honolulu;

9 ~~and~~

10 (5) Three at-large members; provided that the governor
11 shall select an at-large member as the chairperson[-];

12 and

13 (6) One member each from the following public-sector
14 unions:

15 (A) Hawaii State Teachers Association;

16 (B) United Public Workers; and

17 (C) Hawaii Government Employees Association.



1 ~~[The]~~ With the exception of the public-sector union members, who
2 shall be appointed by each respective union president, the
3 members shall be appointed by the governor, with the advice and
4 consent of the senate. The governor may remove or suspend for
5 cause any member of the board."

6 SECTION 2. Section 302A-124, Hawaii Revised Statutes, is
7 amended to read as follows:

8 " ~~[+]~~**§302A-124**~~[+]~~ **Board of education; organization; quorum;**
9 **meetings**~~[-]~~; **open government.** (a) The governor shall select a
10 chairperson of the board; provided that the chairperson shall be
11 selected from among the at-large members. The board shall
12 select a vice chairperson from among its members, and the vice
13 chairperson shall serve as interim chairperson in the event the
14 chairperson's seat becomes vacant.

15 (b) A majority of all the voting members to which the
16 board is entitled shall constitute a quorum to conduct business.
17 At any time the board has fewer than ~~[five]~~ seven voting
18 members, ~~[three]~~ four voting members of the board shall
19 constitute a quorum to conduct business and the concurrence of
20 at least three voting members shall be necessary to make any
21 action of the board valid.



1 (c) Notwithstanding chapter 92, from the convening of the
2 legislature in regular session to adjournment sine die of each
3 regular session, and during each special session of the
4 legislature, the board may file any notice that specifies only
5 legislation or legislation-related agenda items, no fewer than
6 two calendar days before the meeting.

7 (d) The board shall work towards establishing a system of
8 transparency, public participation, and collaboration by:

9 (1) Using the department's communications office to
10 encourage and foster public participation by sharing
11 public information on the department's website and at
12 school meetings;

13 (2) Using at least three modes of communication, such as
14 broadcasting, podcasting, and live streaming internet,
15 to share public information;

16 (3) Establishing daily office hours;

17 (4) Providing meeting materials to members of the board
18 and the general public at least five days prior to the
19 meeting;

20 (5) Posting the minutes of a meeting on the department's
21 website no later than three days after the adjournment
22 of the meeting; provided that the minutes of a meeting



1 shall include all attachments and additional handouts
2 given out to members of the board and the general
3 public at the meeting;

4 (6) Providing a written agenda of the meeting and a
5 telephone number and electronic mail address of an
6 appropriate contact person;

7 (7) Hosting meetings at places and times where school
8 staff, students, and parents can participate;

9 (8) Providing several means for the general public to
10 provide testimony without limitations, including by
11 telephone, mail, and electronic means; and

12 (9) Requiring the board to issue a public notice in
13 accordance with section 1-28.5 and post the notice on
14 the department's website; provided that the decision-
15 making hearing shall not occur earlier than thirty
16 business days after the notice is posted. Prior to
17 rendering a decision, the board shall provide the
18 general public with the opportunity to testify at its
19 decision-making hearing.

20 As used in this subsection, "podcast" means a type of
21 digital media consisting of an episodic series of audio radio or



1 video subscribed to and downloaded through web syndication or
2 streamed online to a computer or mobile device.

3 "Live streaming internet" means delivering live video over
4 the Internet.

5 (e) The board shall submit to the legislature an annual
6 progress report on the establishment of the system of
7 transparency, public participation, and collaboration as
8 described in subsection (d). The annual report shall be
9 submitted no later than twenty days prior to the convening of
10 each regular session, until the legislature determines that the
11 requirements of subsection (d) have been met."

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 2013.

15

INTRODUCED BY:

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[Signature]



S.B. NO. 189

Report Title:

Board of Education; Meeting; Members; General Public;
Transparency; Participation; Collaboration

Description:

Expands the membership of the Board of Education. Establishes within the Board of Education a system of transparency, public participation, and collaboration when dealing with members of the board and the general public. Effective July 1, 2013.

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

