
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-121, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]§302A-121[+]~~ Board of education; members; ~~[student and~~
4 ~~military representatives.]~~ military representative. (a) The
5 board shall consist of ~~[nine]~~ ten members as follows:

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

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

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

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

10 ~~[and]~~

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

13 and

14 (6) One member who shall be a public high school student
15 at the time of that member's initial term of
16 appointment.



1 The members shall be appointed by the governor, with the advice
2 and consent of the senate. The governor may remove or suspend
3 for cause any member of the board.

4 (b) Pursuant to article XVIII, section 12, of the Hawaii
5 State Constitution, the period of transition from the elected to
6 the appointed board shall be as determined in section 21 of Act
7 5, Session Laws of Hawaii 2011.

8 (c) The members of the board shall serve without pay but
9 shall be entitled to reimbursement for necessary expenses,
10 including travel and board and lodging expenses, while attending
11 meetings of the board or when actually engaged in business
12 relating to the work of the board.

13 [~~(d) Pursuant to section 302A-447, the state student~~
14 ~~council shall select a nonvoting public high school student~~
15 ~~representative to the board.~~

16 ~~(e)]~~ (d) Pursuant to section 302A-1101(c), the board shall
17 invite the senior military commander in Hawaii to appoint a
18 nonvoting military representative to the board."

19 SECTION 2. Section 302A-122, Hawaii Revised Statutes, is
20 amended to read as follows:



1 " ~~[+]§302A-122[+]~~ **Board of education; eligibility.** Except
2 as otherwise provided by law, state officers shall be eligible
3 for appointment and membership to the board. No person shall be
4 eligible for appointment to the board:

5 (1) Under section 302A-121(a)(1) through (4) unless the
6 person is a resident of the county from which the
7 person is to be appointed; or

8 (2) Under section 302A-121(a)(5) and (6) unless the person
9 is a resident of the State."

10 SECTION 3. Section 302A-123, Hawaii Revised Statutes, is
11 amended by amending subsections (a) through (c) to read as
12 follows:

13 "(a) ~~[The]~~ Except for the student member, the governor
14 shall set the terms of the members initially appointed to the
15 board under section 21 of Act 5, Session Laws of Hawaii 2011, as
16 follows:

- 17 (1) Three members shall serve one-year terms;
18 (2) Three members shall serve two-year terms; and
19 (3) Three members, including the chairperson, shall serve
20 three-year terms.



1 (b) ~~[The]~~ Except for the student member, the term of each
2 member shall be three years, except as provided for in the
3 initial appointment in subsection (a). Notwithstanding any law
4 to the contrary, members other than the student member shall
5 serve no more than three consecutive three-year terms; provided
6 that the members who are initially appointed to terms of two
7 years or less pursuant to subsection (a) may be reappointed to
8 three ensuing consecutive three-year terms. If a member is
9 nominated to a second or subsequent consecutive term, the senate
10 shall consider the question of whether to reconfirm the member
11 at least one hundred twenty days prior to the expiration of the
12 member's immediately preceding term; provided that if the senate
13 has not taken final action to reconfirm the member by the one
14 hundred twenty-day deadline, the member shall continue to serve
15 until the senate takes final action on the reconfirmation.

16 (c) The term of the student ~~[representative]~~ member shall
17 be one year. The student ~~[representative]~~ member may be
18 ~~[selected]~~ reappointed for one additional consecutive term;
19 provided that the student ~~[representative]~~ member shall be a
20 public high school student at the time of ~~[selection]~~
21 reappointment and shall be a public high school student for the



1 majority of that term[-]; provided further that the senate shall
2 consider the question of whether to reconfirm the student member
3 at least one hundred twenty days prior to the expiration of the
4 member's first term; provided further that if the senate has not
5 taken final action to reconfirm the student member by the one
6 hundred twenty-day deadline, the student member shall continue
7 to serve until the senate takes final action on the
8 reconfirmation."

9 SECTION 4. Section 302A-124, Hawaii Revised Statutes, is
10 amended by amending subsection (b) to read as follows:

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

18 SECTION 5. Section 302A-125, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) The governor shall notify the senate in writing
21 within ten days of:



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1 (1) Removing a member of the board; or
 2 (2) Receiving notification that a member of the board is
 3 resigning or has died;
 4 provided that any vacancy shall be filled by appointment by the
 5 governor, with the advice and consent of the senate, in
 6 accordance with sections 302A-121, 302A-122, 302A-123, and with
 7 the exception of the student member, sections 302A-126[7] and
 8 302A-127."

9 SECTION 6. The student representative serving as of the
 10 effective date of this Act shall continue to serve until the
 11 completion of the student representative's current term, at
 12 which point, a voting student member shall be appointed pursuant
 13 to section 302A-121, Hawaii Revised Statutes.

14 SECTION 7. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 8. This Act shall take effect upon its approval.
 17

INTRODUCED BY:

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Report Title:

Board of Education; Student Member; Voting

Description:

Extends voting rights to a student member of the Board of Education.

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