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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1       SECTION 1. Hawaii has a unique, statewide public education  
2 system. The state educational agency and local education agency  
3 are one and the same, and its leadership requires a unique  
4 perspective and experience. Hawaii is also the only state that  
5 provides all public school funding without any additional  
6 support from the counties.

7       The purpose of this Act is to require that the board of  
8 education prioritize, for the superintendent of education  
9 position, candidates that have the minimum qualification of ten  
10 years of employment in a department of education with at least  
11 five of those years serving in the position of principal or  
12 higher and a desired qualification for a candidate is having a  
13 working understanding of Hawaii tri-level systems of educational  
14 administration.

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



1       "§302A-1101 Department of education; board of education;  
2       superintendent of education. (a) There shall be a principal  
3       executive department to be known as the department of education,  
4       which shall be headed by a policy-making board to be known as  
5       the board of education. The board shall have power in  
6       accordance with law to formulate statewide educational policy,  
7       adopt student performance standards and assessment models,  
8       monitor school success, and appoint the superintendent of  
9       education as the chief executive officer of the public school  
10      system.

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

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

16       (2) May be appointed for a term of up to four years; and

17       (3) May be terminated only for cause[-];

18      provided that for the position of superintendent,  
19      notwithstanding any law to the contrary, the board shall  
20      prioritize candidates that have the minimum qualification of ten  
21      years of employment in a department of education with at least



1 five of those years serving in the position of principal or  
2 higher; provided further that a desired qualification for a  
3 candidate for the position of superintendent is having a working  
4 understanding of Hawaii tri-level systems of educational  
5 administration. For purposes of this section; "tri-level  
6 systems of educational administration" refers to the systems of  
7 administration at the State, complex area, and school levels.

8 (c) The board shall invite the senior military commander  
9 in Hawaii to appoint a nonvoting military representative to the  
10 board, who shall serve for a two-year term without compensation.  
11 As the liaison to the board, the military representative shall  
12 advise the board regarding state education policies and  
13 departmental actions affecting students who are enrolled in  
14 public schools as family members of military personnel. The  
15 military representative shall carry out these duties as part of  
16 the representative's official military duties and shall be  
17 guided by applicable state and federal statutes, regulations,  
18 and policies and may be removed only for cause by a majority  
19 vote of the members of the board.

20 (d) The board shall appoint the state public charter  
21 school commission which shall serve as the statewide charter



1 authorizer for charter schools, with the power and duty to issue  
2 charters, oversee and monitor charter schools, hold charter  
3 schools accountable for their performance, and revoke charters."

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

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



**Report Title:**

Board of Education; Superintendent

**Description:**

Requires that the board of education prioritize for the superintendent of education position candidates that have the minimum qualification of ten years of employment in a department of education with at least five of those years serving in the capacity as a principal or higher and a desired qualification for a candidate is having a working understanding of the State's tri-level system of educational administration. (SD1)

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