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## A BILL FOR AN ACT

PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII  
RELATING TO ELECTED COUNTY SCHOOL BOARDS.

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

1           SECTION 1. The legislature finds Hawaii is the only state  
2 in the nation where a single department of education and a  
3 single statewide board run all public schools in the state. All  
4 other states have school systems broken down into districts  
5 within the state, each with their own separate board of  
6 education. Hawaii's centralized school board and school system  
7 is unlike any other state.

8           The legislature finds that a centralized school system  
9 comes with several drawbacks. For example, every public school,  
10 regardless of the differences between them, are required to  
11 follow the same set of state regulations and guidelines as it  
12 relates to education. This system also leaves little room for  
13 flexibility in introducing new teaching approaches, or in trying  
14 new instructional programming.

15           The legislature finds that entrusting the governance of  
16 public schools to citizens elected by their respective



1 communities to oversee their school districts is imperative to a  
2 well-functioning school system in the state. With this system in  
3 place, elected board members can address the unique education-  
4 related needs of their respective counties for better tailored  
5 improvements in public education.

6 The purpose of this Act is to amend the Constitution of the  
7 State of Hawaii to provide for a local school board in each  
8 county that is populated with elected board members, in place of  
9 the current Board of Education.

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

13 **"LOCAL SCHOOL BOARDS"**

14 **Section .** Public education in the State shall be  
15 provided through a decentralized system of independent school  
16 districts with schools required to follow and satisfy statewide  
17 student performance standards, as provided by law.

18 There shall be four local school boards, one for each  
19 county, to oversee their respective school complex areas.

20 Members of each local school board shall be elected by voters



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

17 **EDUCATION STANDARDS AND ACCOUNTABILITY COMMISSION**

18 **Section** . There shall be an education standards and  
19 accountability commission, as provided by law, to:



- 1        (1) Establish and maintain rigorous academic and data-  
2                    reporting standards that apply to all school complex  
3                    areas within the statewide public education system;  
4        (2) Ensure that the school complex areas operate in an  
5                    open manner;  
6        (3) Publish annual report cards on each school complex  
7                    area's financial management and overall performance;  
8        (4) Ensure that all state and federal mandates are  
9                    fulfilled;  
10       (5) Establish a formula for distributing general funds for  
11                   school operations to all public schools based on the  
12                   number and needs of students enrolled at each school;  
13       (6) Establish a formula for the distribution of capital  
14                   improvement project funds to the school complex areas;  
15                   and  
16       (7) Administer programs that the school complex areas  
17                   cannot administer alone.

18       The legislature shall appropriate all general funds for  
19       school operations in a single amount to the education standards  
20       and accountability commission.





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

3 [~~BOARD OF EDUCATION~~

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

8 ~~POWER OF THE BOARD OF EDUCATION~~

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

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

15 [~~1978 BOARD OF EDUCATION ELECTIONS~~

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

18 SECTION 6. The question to be printed on the ballot shall  
19 be as follows:

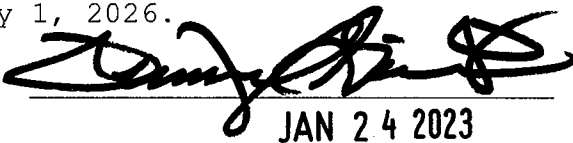


# H.B. NO. 1119

1 "Shall the statewide appointed board of education be  
2 abolished and replace with four elected county school  
3 boards?"

4 SECTION 7. Constitutional material to be repealed is  
5 bracketed and stricken. New constitutional material is  
6 underscored.

7 SECTION 8. This amendment shall take effect upon  
8 compliance with article XVII, section 3, of the Constitution of  
9 the State of Hawaii; provided that, subject to ratification,  
10 section 4 shall take effect on July 1, 2026.

INTRODUCED BY:   
JAN 24 2023



# H.B. NO. 1119

**Report Title:**

Constitutional Amendment; Public Education; Elected County School Boards

**Description:**

Proposes a constitutional amendment that would: (1) establish county school boards throughout the State to be elected 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.*

