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## A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE X, SECTIONS 2 AND 3 OF THE  
HAWAII CONSTITUTION TO CREATE ELECTED DISTRICT SCHOOL  
BOARDS.

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

1           SECTION 1. The purpose of this Act is to propose an  
2 amendment to Article X, section 2 and 3, of the Constitution of  
3 the State of Hawaii to provide for the creation of at least  
4 seven locally elected district school boards and to amend the  
5 function and selection of the state board of education.

6           SECTION 2. Article X, section 2, of the Constitution of  
7 the State of Hawaii, is amended to read as follows:

8           " ~~[BOARD OF EDUCATION]~~ STATE AND DISTRICT SCHOOL BOARDS

9           Section 2. There shall be a state board of education  
10 composed of ~~[members who shall be elected in a nonpartisan~~  
11 ~~manner by qualified voters, as provided by law, from two at~~  
12 ~~large school board districts]~~ one member selected from each  
13 district school board. Each district board shall select its  
14 representative to the state board by majority vote among the  
15 district board members. Each state board member, with the  
16 exception of the member from the noncontiguous district, shall  
17 have a vote on matters before the state board of education.



1        There shall be at least seven district school boards  
2        composed of members who shall be elected in a nonpartisan manner  
3        by qualified voters, as provided by law, from each of the school  
4        board districts. ~~[The first]~~ At least two school board  
5        ~~[district]~~ districts shall be comprised of ~~[the]~~ areas of  
6        approximately equal populations and inclusive of the Hilo and  
7        Kona regions on the island of ~~[Oahu and all other islands not~~  
8        ~~specifically enumerated. The second school board district shall~~  
9        ~~be comprised of the islands of Hawaii, Maui, Lanai, Molokai,~~  
10       ~~Kahoolawe, Kauai and Niihau. Each at large school board district~~  
11       ~~shall be divided into departmental school districts, as may be~~  
12       ~~provided by law. There shall be at least one member residing in~~  
13       ~~each departmental school district.]~~ Hawaii as determined by an  
14       apportionment commission as provided for by law. At least one  
15       school board district shall be comprised of the islands of  
16       Lanai, Molokai, Kahoolawe, and Maui. At least one school board  
17       district shall be comprised of the islands of Kauai and Niihau.  
18       The Island of Oahu shall have at least three school board  
19       districts. The districts shall be determined by an  
20       apportionment commission as provided for by law. The Hawaii  
21       State Student Council shall select a public high school student  
22       to serve as a nonvoting member on the state board of education.



1 Local student councils shall select a public high school student  
2 to serve as a nonvoting member on each district school board of  
3 education."

4 SECTION 3. Article X, section 3, of the Constitution of  
5 the State of Hawaii, is amended to read as follows:

6 "POWER OF THE ~~[BOARD OF EDUCATION]~~ STATE AND DISTRICT  
7 BOARDS OF EDUCATION

8 Section 3. The state board of education shall have the  
9 power, as provided by law, to [~~formulate statewide educational~~  
10 ~~policy and]~~ appoint the state superintendent of education, [~~as~~  
11 ~~the chief executive officer of the public school system]~~  
12 formulate funding formulae to fund each district board of  
13 education, create statewide education standards, and oversee  
14 equity and compliance with federal law.

15 District boards of education shall have the power, as  
16 provided by law, to formulate district wide educational policies  
17 not inconsistent with statewide education standards and effect  
18 budget decisions within the district. District boards of  
19 education shall have all other powers not specifically delegated  
20 to the state board of education."

21 SECTION 4. The question to be printed on the ballot shall  
22 be as follows:



1 "Shall the current constitutional provisions on the creation  
 2 and power of the Board of Education be amended to provide  
 3 for the creation of at least seven local district school  
 4 boards elected by the voters of each local school district?"

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

8 SECTION 6. This amendment shall take effect upon  
 9 compliance with Article XVII, section 3, of the Constitution of  
 10 the State of Hawaii.

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INTRODUCED BY:

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*JAT*

JAN 19 2007



**Report Title:**

Elected district school boards.

**Description:**

Proposes an amendment to Article X, sections 2 and 3 of the State Constitution to replace the current single district school system with locally elected school boards.

