

JAN 22 2010

S.B. NO. 2568

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## A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII  
CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN  
ENTIRELY ELECTED BOARD TO A PARTIALLY ELECTED, PARTIALLY  
APPOINTED BOARD.

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

1       SECTION 1. The legislature finds that significant changes  
2 to the public education system, including clearer accountability  
3 for the performance, administration, and progress of the public  
4 education system, are needed to improve the quality of education  
5 and student achievement. The legislature further finds that  
6 changing the process of selecting all members of the board of  
7 education by election to a combination of election and  
8 appointments by the governor makes the board members more  
9 accountable to the governor while still allowing representatives  
10 of various geographic areas to elect members of the board of  
11 education.

12       The purpose of this Act is to propose a constitutional  
13 amendment to change the method of selection of voting members of  
14 the board of education from election to a combination of  
15 election and appointment by the governor, with the advice and  
16 consent of the senate, from pools of qualified candidates



1 presented to the governor by a newly established board of  
2 education candidate nomination commission.

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

5 "BOARD OF EDUCATION

6 Section 2. There shall be a board of education [~~composed~~  
7 ~~of members who shall be elected in a nonpartisan manner by~~  
8 ~~qualified voters, as provided by law, from two at large school~~  
9 ~~board districts. The first school board district shall be~~  
10 ~~comprised of the island of Oahu and all other islands not~~  
11 ~~specifically enumerated. The second school board district shall~~  
12 ~~be comprised of the islands of Hawaii, Maui, Lanai, Molokai,~~  
13 ~~Kaheolawe, Kauai and Niihau. Each at large school board~~  
14 ~~district shall be divided into departmental school districts, as~~  
15 ~~may be provided by law. There shall be at least one member~~  
16 ~~residing in each departmental school district.], a minority of  
17 whose voting members, but no fewer than five voting members,  
18 shall be elected in a nonpartisan manner by qualified voters, as  
19 provided by law, and a majority of whose voting members shall be  
20 appointed by the governor, with the advice and consent of the  
21 senate, from pools of qualified candidates presented to the  
22 governor by the board of education candidate nomination~~



1 commission, as provided by law. The Hawaii State Student  
2 Council shall select a public high school student to serve as a  
3 nonvoting member on the board of education."

4 SECTION 3. The question to be printed on the ballot shall  
5 be as follows:

6 "Shall a minority, but no fewer than five, of the voting  
7 members of the board of education be elected in a  
8 nonpartisan manner by qualified voters, as provided by law,  
9 and a majority of the voting members of the board of  
10 education be appointed by the governor, with the advice and  
11 consent of the senate, from pools of qualified candidates  
12 presented to the governor by the board of education  
13 candidate nomination board, as provided by law?"

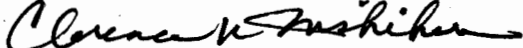
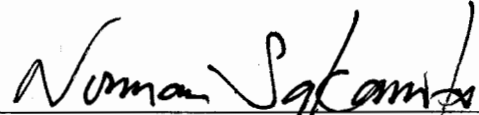
14 SECTION 4. Constitutional material to be repealed is  
15 bracketed and stricken. New constitutional material is  
16 underscored.

17 SECTION 5. This amendment shall take effect upon  
18 compliance with article XVII, section 3, of the Constitution of  
19 the State of Hawaii.

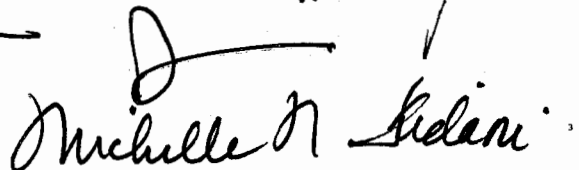
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INTRODUCED BY:



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S.B. NO. 2568

*By* 



**Report Title:**

Board of Education; Partially Elected and Partially Appointed  
Members; Constitutional Amendment

**Description:**

Proposes a constitutional amendment to require a minority, but no fewer than five, of the voting members of the board of education to be elected, as provided by law, and a majority of the voting members to be appointed by the governor, with the advice and consent of the senate, as provided by law.

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

