

JAN 19 2012

A BILL FOR AN ACT

RELATING TO THE BOARD OF EDUCATION.

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

SECTION 1. Section 302A-121, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

"(a) The board shall consist of [~~nine~~] ten members as follows:

(1) One member from the county of Hawaii;

(2) One member from the county of Maui;

(3) One member from the county of Kauai;

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

[~~and~~]

(5) Three at-large members; provided that the governor

shall select an at-large member as the chairperson[~~-~~];

and

(6) One member to represent the military.

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

2. By amending subsection (e) to read:



1 "(e) [~~Pursuant to section 302A-1101(c), the board shall~~
2 ~~invite the senior military commander in Hawaii to appoint a~~
3 ~~nonvoting military representative to the board.]~~ The military
4 member shall, in addition to the member's regular duties on the
5 board, advise the board regarding state education policies and
6 departmental actions affecting students who are enrolled in
7 public schools as family members of military personnel. The
8 military member shall carry out these duties as part of the
9 representative's official military duties and shall be guided by
10 applicable state and federal statutes, regulations, and
11 policies."

12 SECTION 2. Section 302A-124, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

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

21 SECTION 3. Section 302A-1101, Hawaii Revised Statutes, is
22 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 ~~[(c) The board shall invite the senior military commander~~
19 ~~in Hawaii to appoint a nonvoting military representative to the~~
20 ~~board, who shall serve for a two year term without compensation.~~
21 ~~As the liaison to the board, the military representative shall~~
22 ~~advise the board regarding state education policies and~~



~~departmental actions affecting students who are enrolled in public schools as family members of military personnel. The military representative shall carry out these duties as part of the representative's official military duties and shall be guided by applicable state and federal statutes, regulations, and policies and may be removed only for cause by a majority vote of the members of the board.~~

(d)] (c) The board shall appoint the charter school review panel, which shall serve as the charter authorizer for charter schools, with the power and duty to issue charters, oversee and monitor charter schools, hold charter schools accountable for their performance, and revoke charters."

SECTION 4. The military representative serving on the day of the effective date of this Act shall continue to serve in that capacity until the military member is nominated by the governor and confirmed by the senate in accordance with sections 302A-121, 302A-126, and 302A-127, Hawaii Revised Statutes, at which time, the appointed military member shall begin the member's service.

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



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

2

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'Jim', is written over a horizontal line.

S.B. NO. 2153

Report Title:

Board of Education; Military Representative

Description:

Entitles the military representative on the Board of Education to vote on matters before the board by making the representative a member of the board.

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

