A BILL FOR AN ACT

PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO PUBLIC EDUCATION.

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

1 SECTION 1. The purpose of this Act is to propose a 2 constitutional amendment that would reform the existing public 3 education system by transferring responsibility for the public 4 schools in this State to seven or more independent school 5 districts each governed by an elected local school board. 6 SECTION 2. Article X of the Constitution of the State of 7 Hawaii is amended by adding two new sections to be designated 8 and to read as follows: 9 "LOCAL SCHOOL BOARDS 10 Section . Public education in the State shall be 11 provided through a decentralized system of independent school 12 districts with schools required to follow and satisfy statewide 13 student performance standards, as provided by law. 14 There shall be at least seven local school boards to 15 oversee their respective school districts. Members of each

H.B. NO. (700)

1	local sch	ool board shall be elected by qualified voters, as
2	provided	by law. Each local school board shall:
3	(1)	Formulate district-wide educational policies;
4	(2)	Select principals to manage the schools in the local
5		school board's school district;
6	(3)	Authorize the principal of each school to make the
7		decisions that affect student performance, educational
8		quality, and use of resources;
9	(4)	Evaluate the principals managing schools in the local
10		<pre>school board's school district;</pre>
11	(5)	Administer programs that the schools are not able to
12		administer alone; and '
13	. (6)	Establish an open system that allows, to the extent
14		practicable given each school's resources and
15		capacity, the parents, guardians, and caretakers of
16		each public school student to select the school that
17		the student will attend.
18	<u>E</u> :	DUCATION STANDARDS AND ACCOUNTABILITY COMMISSION
19	Sect	ion . There shall be an education standards and
20	accountab	ility commission, as provided by law, to:

1	(1)	Establish and maintain rigorous academic and data-
2		reporting standards that apply to all school districts
3		within the statewide public education system;
4	(2)	Ensure that the school districts operate in an open
5		manner;
6	(3)	Publish annual report cards on each school district's
7		financial management and overall performance;
8	(4)	Ensure that all state and federal mandates are
9		<pre>fulfilled;</pre>
10	<u>(5)</u>	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	<u>(6)</u>	Establish a formula for the distribution of capital
14		improvement project funds to the school districts; and
15	<u>(7)</u>	Administer programs that the school districts cannot
16	·	administer alone.
17	The I	legislature shall appropriate all general funds for
18	school ope	erations in a single amount to the education standards
19	and accoun	ntability commission.
20	The I	legislature shall appropriate all capital improvement
21	project fi	unds for school capital improvement projects in a

- 1 single amount to the education standards and accountability
- 2 commission."
- 3 SECTION 3. Article XVI, section 4, of the Constitution of
- 4 the State of Hawaii is amended to read as follows:
- 5 "OATH OF OFFICE
- 6 Section 4. All eligible public officers, before entering
- 7 upon the duties of their respective offices, shall take and
- 8 subscribe to the following oath or affirmation: "I do solemnly
- 9 swear (or affirm) that I will support and defend the
- 10 Constitution of the United States, and the Constitution of the
- 11 State of Hawaii, and that I will faithfully discharge my duties
- 12 as to the best of my ability." As used in this
- 13 section, "eliqible public officers" means the governor, the
- 14 lieutenant governor, the members of both houses of the
- 15 legislature, the members of the [board of education,] local
- 16 school boards, the members of the national guard, State or
- 17 county employees who possess police powers, district court
- 18 judges, and all those whose appointment requires the consent of
- 19 the senate."
- 20 SECTION 4. Article X, section 2 and 3, of the Constitution
- 21 of the State of Hawaii are repealed.

1	["BOARD OF EDUCATION		
2	Section 2. There shall be a board of education. The		
3	governor shall nominate and, by and with the advice and consent		
4	of the senate, appoint the members of the board of education, as		
5	provided by law.		
6	POWER OF THE BOARD OF EDUCATION		
7	Section 3. The board of education shall have the power, as		
. 8	provided by law, to formulate statewide educational policy and		
9	appoint the superintendent of education as the chief executive		
10	officer of the public school system."]		
11	SECTION 5. Article XVIII, section 7, of the Constitution		
12	of the State of Hawaii, is repealed.		
13	["1978 BOARD OF EDUCATION ELECTIONS		
14	Section 7. Members elected to the board of education in		
15	the 1978 general election shall serve for two-year terms."]		
16	SECTION 6. The question to be printed on the ballot shall		
17	be as follows:		
18	"Shall the statewide appointed board of education be		
19	abolished and replaced by at least seven elected local		
20	school boards?"		

- 1 SECTION 7. Constitutional material to be repealed is
- 2 bracketed and stricken. New constitutional material is
- 3 underscored.
- 4 SECTION 8. This amendment shall take effect upon
- 5 compliance with article XVII, section 3, of the Constitution of
- 6 the State of Hawaii; provided that, subject to ratification,
- 7 section 4 shall take effect on July 1, 2018.

8

INTRODUCED BY:

JAN 28 2015

Report Title:

Constitutional Amendment; Public Education; Elected Local School Boards

Description:

Proposes a constitutional amendment that would: (1) establish local school boards throughout the State to be elected from at least 7 school districts as provided by law; and (2) create an educational standards and accountability commission.

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