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# A BILL FOR AN ACT

RELATING TO THE BOARD OF EDUCATION.

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

1 PART I

2 SECTION 1. Section 302A-1106.5, Hawaii Revised Statutes,  
3 is amended to read as follows:

4 "§302A-1106.5 Board of education; community [~~meetings-~~]  
5 forums. [~~The board shall hold not less than one community~~  
6 ~~meeting annually in each county in]~~ In addition to their regular  
7 meetings, the board shall hold no less than six community forums  
8 annually to discuss and receive input from the community on  
9 public education and public library issues[-]; provided that the  
10 board shall hold at least one community forum in each county.

11 The board chairperson shall designate board members to attend  
12 [~~the~~] each community [~~meetings-~~] forum. These community  
13 [~~meetings~~] forums shall not be held for the purpose of  
14 formulating educational policy. The community [~~meetings~~] forums  
15 shall be [~~exempt from sections 92-2.5, 92-7, 92-9, and 92-41,~~  
16 ~~provided that the board shall give written public notice of each~~  
17 ~~community meeting. The meeting notice shall indicate the date,~~



1 ~~time, and place of the meeting, and shall be filed in the office~~  
2 ~~of the lieutenant governor and in the board's office for public~~  
3 ~~inspection six calendar days before the meeting. The notice~~  
4 ~~shall also be posted at the site of the meeting.] a permitted~~  
5 interaction under section 92-2.5; provided that:

- 6 (1) The board shall give written public notice that  
7 indicates the date, time, and place of each community  
8 forum; provided that the notice shall be subject to  
9 the same posting and filing requirements of board  
10 meeting notices, pursuant to section 92-7(b);
- 11 (2) Community forums shall be open to the public and all  
12 persons shall be permitted to attend; provided that  
13 the removal of any person or persons who wilfully  
14 disrupts a community forum to prevent and compromise  
15 the conduct of the community forum shall not be  
16 prohibited;
- 17 (3) The board shall afford all interested persons an  
18 opportunity to submit data, views, or arguments, in  
19 writing or in person, on any public education or  
20 public library issue at each community forum;





1 SECTION 4. Section 89-6, Hawaii Revised Statutes, is  
2 amended by amending subsection (d) to read as follows:

3 "(d) For the purpose of negotiating a collective  
4 bargaining agreement, the public employer of an appropriate  
5 bargaining unit shall mean the governor together with the  
6 following employers:

7 (1) For bargaining units (1), (2), (3), (4), (9), (10),  
8 (13), (14), and (15), the governor shall have six  
9 votes and the mayors, the chief justice, and the  
10 Hawaii health systems corporation board shall each  
11 have one vote if they have employees in the particular  
12 bargaining unit;

13 (2) For bargaining units (11) and (12), the governor shall  
14 have four votes and the mayors shall each have one  
15 vote;

16 (3) For bargaining units (5) and (6), the governor shall  
17 have three votes ~~[7]~~ and the board of education shall  
18 have two votes ~~[7, and the superintendent of education~~  
19 ~~shall have one vote]~~; and

20 (4) For bargaining units (7) and (8), the governor shall  
21 have three votes, the board of regents of the



1 University of Hawaii shall have two votes, and the  
2 president of the University of Hawaii shall have one  
3 vote.

4 Any decision to be reached by the applicable employer group  
5 shall be ~~[on the basis of]~~ by a simple majority~~[7]~~ vote, except  
6 when a bargaining unit includes county employees from more than  
7 one county. In that case, the simple majority shall include at  
8 least one county."

9 PART III

10 SECTION 5. This Act does not affect rights and duties that  
11 matured, penalties that were incurred, and proceedings that were  
12 begun before its effective date.

13 SECTION 6. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 7. This Act shall take effect on July 1, 2050.



**Report Title:**

Board of Education; Public Meetings; Oral Testimony; Community Forums; Collective Bargaining; Voting

**Description:**

Requires the board of education to hold no less than six community forums annually, with at least one forum in each county. Requires the board to include an open forum for public comments on non-agenda items. Requires a report to the legislature on implementing open forums. Eliminates the superintendent of education as a voting member constituting the public employer for the purpose of negotiating a collective bargaining agreement with personnel of the department of education. Effective 7/1/2050. (SD1)

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

