



GOV. MSG. NO. 1401

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 12, 2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

I am transmitting herewith SB2824 SD1 HD1 CD1, without my approval and with the statement of objections relating to the measure.

SB2824 SD1 HD1 CD1

RELATING TO THE BOARD OF EDUCATION.

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

EXECUTIVE CHAMBERS

HONOLULU

July 12, 2022

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2824

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 2824, entitled "A Bill for an Act Relating to the Board of Education."

The purpose of this bill is to amend the minimum qualifications for Board of Education nominees. The bill amends section 302A-126, Hawaii Revised Statutes, to (1) add a new qualification relating to relevant experience – i.e., that "the board collectively shall have knowledge, experience, and proven expertise in as many of the following fields as possible, including education, workforce development, critical industries to the State, emerging fields, energy, advanced manufacturing, health care, business, technology, entrepreneurship, real estate, finance, or organizational management[;]" and (2) clarify that the understanding of best practices, one of the existing minimum qualifications, should come through "organizations such as the National Association of State Boards of Education or similar organizations[.]"

This bill is objectionable because it poses a threat of corporatizing public education, undermining deeper public educational goals, and devaluing professional expertise in education and childhood development. Industry-track academies and Career and Technical Education programs are already present and thriving in our public schools, due to collaboration between educators and the private sector. These programs demonstrate that workforce development does not require changing the professional composition of the Board of Education (BOE). Section 3 of article X of the Hawaii Constitution provides, in pertinent part, that the BOE "shall have the power, as provided by law, to formulate statewide educational policy[.]" Decisions about Hawai'i's

STATEMENT OF OBJECTIONS
SENATE BILL NO. 2824
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education system should be made by professionals with experience and expertise in developing life-long learners. I believe that diversifying the BOE is important in creating a statewide school governance structure, but the diversity of backgrounds in this bill is unbalanced and does not include other important backgrounds such as culture, arts, international education, parents, and even student representation. Additionally, experts in the private sector fields referenced in this bill may not have the experience and expertise needed to make nuanced policy decisions around standards, curriculum-development, and teacher training.

Furthermore, this bill undermines the autonomy and decision-making power of this office. The bill requires the BOE to collectively have knowledge, experience, and proven expertise for thirteen areas, where only eleven positions are available. Education is only one of the thirteen areas listed in the bill; the other twelve areas of expertise are corporate-focused and unrelated to the oversight of a statewide public education system. Compliance with this bill would virtually guarantee that educational experts will be far outnumbered in the BOE's composition and could be excluded from consideration for appointment altogether.

For the foregoing reasons, I am returning Senate Bill No. 2824 without my approval.

Respectfully,



DAVID Y. IGE
Governor of Hawai'i

VETO

THE SENATE
THIRTY-FIRST LEGISLATURE, 2022
STATE OF HAWAII

S.B. NO. 2824
S.D. 1
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO THE BOARD OF EDUCATION.

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

1 SECTION 1. The legislature finds that the field of
2 education is changing rapidly to meet the needs of the local and
3 global workforce and communities. Due to this development, the
4 line between K-12 education, higher education, and the workforce
5 continue to blur. In order to bolster Hawaii's economy and stem
6 the local brain drain of talent leaving the State, the
7 legislature further finds that it is important for Hawaii's
8 students to attain quality, work-based learning opportunities
9 and connections to local employers prior to graduation.

10 The legislature additionally finds that the board of
11 education serves an important policy making function for the
12 Hawaii education system. As schools expand their career
13 readiness programs and partnerships with employers, the board
14 will need to have a sophisticated understanding of policy
15 related to these areas.

16 Furthermore, the legislature finds that the National
17 Association of State Boards of Education (NASBE) has specific
18 recommendations for making state boards of education most



1 effective. In terms of individual board members, NASBE's
2 recommendations include that members represent all students and
3 families, maintain student achievement as a north star, view all
4 decisions with an equity lens, and make clear decisions.
5 NASBE's recommendations for boards also include serving as the
6 citizen voice in education, leading through policy, and
7 remaining future oriented.

8 Therefore, the legislature finds that Hawaii's education
9 system will benefit through greater diversity of backgrounds,
10 expertise, and perspectives on the board of education, and that
11 individuals serving on the board should conduct themselves in
12 accordance with best practices from expert organizations, such
13 as NASBE.

14 Accordingly, the purpose of this Act is to amend the
15 minimum qualifications for board of education members to:

- 16 (1) Diversify the experiences of board members to include
17 knowledge, experience, and proven expertise in
18 education, workforce development, critical industries
19 to the State, emerging fields, energy, advanced
20 manufacturing, health care, business, technology,



1 entrepreneurship, real estate finance, or organization
2 management; and

3 (2) Clarify that the board of education's best practices
4 should be aligned with those of organizations such as
5 the National Association of State Boards of Education.

6 SECTION 2. Section 302A-126, Hawaii Revised Statutes, is
7 amended by amending subsection (b) to read as follows:

8 "(b) Each nominee shall meet the following minimum
9 qualifications:

10 (1) Record of integrity, civic virtue, and high ethical
11 standards. Each nominee shall demonstrate integrity,
12 civic virtue, and high ethical standards and be
13 willing to hold fellow board members to the same;

14 (2) Availability for constructive engagement. Each
15 nominee shall commit to being a conscientious and
16 attentive board member;

17 (3) Knowledge of best practices. Each nominee shall have
18 an understanding of best practices in educational
19 governance through organizations such as the National
20 Association of State Boards of Education or similar



1 organizations or shall be willing to be trained in
2 such; [~~and~~]

3 (4) Commitment to educational leadership. Each nominee
4 shall have a clear understanding of the board's role
5 in developing and protecting a clear, long-term
6 strategic vision for Hawaii's public schools, and
7 shall understand the need to hold the superintendent
8 of education accountable for making consistent
9 progress toward that vision[-]; and

10 (5) Relevant experience. The board collectively shall
11 have knowledge, experience, and proven expertise in as
12 many of the following fields as possible, including
13 education, workforce development, critical industries
14 to the State, emerging fields, energy, advanced
15 manufacturing, health care, business, technology,
16 entrepreneurship, real estate, finance, or
17 organizational management."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect on July 1, 2022.



S.B. NO. 2824
S.D. 1
H.D. 1
C.D. 1

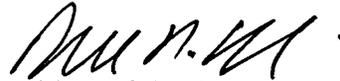
APPROVED this day of , 2022

GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: May 3, 2022
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2022.



President of the Senate



Clerk of the Senate

SB No. 2824, SD 1, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 03, 2022
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives