

JAN 21 2022

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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           SECTION 1. Section 302A-121, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) The board shall consist of nine members as follows:

4           (1) One member from the county of Hawaii;

5           (2) One member from the county of Maui;

6           (3) One member from the county of Kauai;

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

8           and

9           (5) Three at-large members [~~; provided that the governor~~  
10           ~~shall select an at-large member as the chairperson]~~.

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

14           SECTION 2. Section 302A-124, Hawaii Revised Statutes, is  
15 amended by amending its title and subsection (a) to read as  
16 follows:



1           " [†] §302A-124 [†] Board of education; [~~organization,~~]  
2 election of chairperson and vice chairperson; quorum; meetings.

3       (a) [~~The governor shall select a chairperson of the board,~~  
4 ~~provided that the chairperson shall be selected from among the~~  
5 ~~at-large members.] The members shall elect, by simple majority,  
6 a chairperson of the board from among its members. The board  
7 shall [~~select~~] elect, by simple majority, a vice chairperson  
8 from among its members[~~, and the~~]. The vice chairperson shall  
9 serve as interim chairperson in the event of the chairperson's  
10 absence or if the chairperson's seat becomes vacant."~~

11           SECTION 3. Section 302A-125, Hawaii Revised Statutes, is  
12 amended to read as follows:

13           " [†] §302A-125 [†] Board of education; vacancies. (a) The  
14 governor shall notify the senate in writing within ten days of:

- 15           (1) Removing a member of the board; or  
16           (2) Receiving notification that a member of the board is  
17                 resigning or has died;

18 provided that any vacancy shall be filled by appointment by the  
19 governor, with the advice and consent of the senate, in  
20 accordance with sections 302A-121, 302A-122, 302A-123, 302A-126,  
21 and 302A-127.



1 (b) Where the chairperson position becomes vacant, the  
2 governor ~~[may nominate a sitting member of the board to the~~  
3 ~~chairperson position in accordance with subsection (a) and]~~  
4 shall fill any resulting vacancy in accordance with subsection  
5 (a) ~~[-]~~ and part I of this chapter; provided that, upon filling  
6 this vacancy, a new chairperson shall be elected by the members  
7 of the board pursuant to section 302A-124(a)."

8 SECTION 4. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY Michelle N. Fedare



# S.B. NO. 2189

**Report Title:**

Education; Board of Education; Chairperson

**Description:**

Removes the governor's authority to select the chairperson of the board of education. Authorizes a majority of the members of the board to elect a chairperson from among the members of the board. Removes requirement that the chairperson be an at-large member.

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

