
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 Olelo Hawaii, the
2 Hawaiian language, has been the native language of Hawaii's
3 indigenous people for over two thousand years and has provided
4 the foundation for the establishment and development of Hawaiian
5 society including government, education, sciences, trades, and
6 arts. During the Hawaiian Kingdom period from 1795 to 1893, the
7 Hawaiian language thrived. In 1825, under the direction of Moi
8 Liholiho Kamehameha II, missionaries and Native Hawaiian
9 scholars devised a Hawaiian orthography and literacy among
10 Hawaiians that spread rapidly, with indigenous Hawaiians
11 reaching a ninety-five per cent literacy rate by 1834. In the
12 1840s, Moi Kauikeaouli Kamehameha III used the Hawaiian language
13 to transform the Hawaiian Kingdom into a constitutional
14 monarchy, establishing public systems for education, the
15 judiciary, law enforcement, and health, all functioning solely
16 in the Hawaiian language. This was the genesis of Hawaii's
17 public education system. However, by the latter half of the



1 twentieth century, the Hawaiian language was pushed to the brink
2 of extinction by several factors. One of these factors was Act
3 57, Laws of the Republic of Hawaii 1896 (Act 57), which was
4 passed three years after the 1893 United States overthrow of the
5 Kingdom of Hawaii. Act 57 declared an English only law over
6 Hawaii's public schools, prohibiting the use of Hawaiian as a
7 medium of instruction. Hawaiian was excluded from Hawaii's
8 public schools for the next ninety years until the law was
9 reversed in 1986, allowing the Hawaiian language as a medium of
10 instruction in public schools. During that time the number of
11 Hawaiian language speakers had collapsed from nearly forty
12 thousand in 1896 to a mere two thousand in 1978. In 1978, the
13 Constitution of the State of Hawaii was amended to include
14 article X, section 4, which requires the State to promote the
15 study of Hawaiian culture, history, and language; and article
16 XV, section 4, which states English and Hawaiian shall be the
17 official languages of Hawaii, reaffirming the State's
18 constitutional responsibility.

19 The legislature further finds that following the
20 establishment of a constitutional requirement to promote the
21 study of Hawaiian culture, history, and language, the State



1 established various programs aimed at teaching younger
2 generations Hawaiian culture, traditions, and the language in a
3 school setting, such as the establishment of the Hawaiian
4 studies program within the department of education. Today, the
5 State supports twenty-seven Hawaiian immersion public schools
6 under the department of education and six public charter
7 schools, educating more than three thousand three hundred
8 students and employing approximately one hundred eighty teachers
9 statewide. The development of Hawaiian immersion schools is a
10 direct result of grassroots organizing and advocacy of parents,
11 educators, and communities. The Aha Kauleo Kaiapuni Hawaii is
12 the state council for the Papahana Kaiapuni Hawaii, Hawaiian
13 language immersion schools, inclusive of the department of
14 education and public charter Hawaiian immersion schools, which
15 provides proactive leadership, direction, and advocacy for the
16 development and growth of its Hawaiian immersion schools. The
17 council advises directly through the office of Hawaiian
18 education of the department of education.

19 The legislature also finds that Native Hawaiians currently
20 make up almost twenty-four per cent of the entire student
21 population in the State. Due to the high presence of Native



1 Hawaiian students in the public school system, it is imperative
2 that the State guarantee appropriate representation on the board
3 of education to fulfill its constitutional duty to promote
4 Hawaiian studies and the Hawaiian language and to provide a
5 voice for Native Hawaiian students, teachers, and faculty.

6 The legislature also finds that existing law does not
7 require any member of the board of education to be an individual
8 who has expertise in Hawaiian studies, the Hawaiian language, or
9 Hawaiian immersion education. The legislature believes that to
10 better promote the study of Hawaiian culture, history, and
11 language in public schools, as required by the state
12 constitution, there must be some representation of the Hawaiian
13 community on the board of education.

14 Accordingly, the purpose of this Act is to require at least
15 one at-large member of the board of education to be a Hawaiian
16 immersion expert selected from a list of nominees submitted by
17 the Aha Kauleo Kaiapuni Hawaii.

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

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

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



- 1 (2) One member from the county of Maui;
- 2 (3) One member from the county of Kauai;
- 3 (4) Three members from the city and county of Honolulu;
- 4 and
- 5 (5) Three at-large members; provided that the governor
- 6 shall select an at-large member as the chairperson.

7 The members shall be appointed by the governor, with the advice
 8 and consent of the senate. Of the at-large members appointed
 9 pursuant to paragraph (5), at least one shall be a Hawaiian
 10 immersion expert, who shall be selected from a list of
 11 nominees submitted by the Aha Kauleo Kaiapuni Hawaii.

12 The governor may remove or suspend for cause any member of the
 13 board."

14 SECTION 3. New statutory material is underscored.

15 SECTION 4. This Act shall take effect on July 1, 2050;
 16 provided that the new requirement established by this Act shall
 17 be fulfilled by the individual appointed to fill the next at-
 18 large member vacancy on the board of education, whether the
 19 vacancy occurs before, on, or after the effective date of this
 20 Act.

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Report Title:

Board of Education; Membership; Hawaiian Immersion Expert

Description:

Requires that at least one at-large member of the board of education be a Hawaiian immersion expert selected from a list of nominees submitted by Aha Kauleo Kaiapuni Hawaii. Effective 7/1/2050. (HD1)

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