
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.

12 The legislature also finds that Native Hawaiians currently
13 make up almost twenty-four per cent of the entire student
14 population in the State. Due to the high presence of Native
15 Hawaiian students in the public school system, it is imperative
16 that the State guarantee appropriate representation on the board
17 of education to fulfill its constitutional duty to promote
18 Hawaiian studies and the Hawaiian language and to provide a
19 voice for Native Hawaiian students, teachers, and faculty.

20 The legislature also finds that existing law does not
21 require any member of the board of education to be an individual



1 who has expertise in Hawaiian studies, the Hawaiian language, or
2 Hawaiian immersion education. The legislature believes that to
3 better promote the study of Hawaiian culture, history, and
4 language in public schools, as required by the state
5 constitution, there must be some representation of the Hawaiian
6 community on the board of education.

7 Accordingly, the purpose of this Act is to require at least
8 one at-large member of the board of education to be a Hawaiian
9 immersion expert selected from a list of three nominees
10 submitted by the president of the senate, speaker of the house
11 of representatives, and office of Hawaiian affairs.

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

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

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

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

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

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

19 and

20 (5) Three at-large members; provided that the governor

21 shall select an at-large member as the chairperson.



1 The members shall be appointed by the governor, with the advice
2 and consent of the senate. Of the at-large members appointed
3 pursuant to paragraph (5), at least one member shall be a
4 Hawaiian immersion expert, who shall be selected from a list of
5 three nominees submitted by the president of the senate, speaker
6 of the house of representatives, and office of Hawaiian affairs;
7 provided that the president of the senate, speaker of the house
8 of representatives, and office of Hawaiian affairs shall each
9 nominate one Hawaiian immersion expert for selection. The
10 governor may remove or suspend for cause any member of the
11 board."

12 SECTION 3. New statutory material is underscored.

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

19



H.B. NO. 1986 H.D. 2

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 three nominees submitted by the president of the senate, speaker of the house of representatives, and office of Hawaiian affairs. Effective 7/1/2050. (HD2)

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

2022-1909 HB1986 HD2 HMSO

