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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. The legislature finds that the board of  
2 education serves as the policy-making body for the State's  
3 public school system. While the board of education currently  
4 includes a nonvoting student representative and a nonvoting  
5 military representative, the board does not have a formal seat  
6 for a public school teacher.

7           The legislature further finds that teachers are the primary  
8 implementers of board of education policy and possess unique,  
9 ground-level insights into the challenges and opportunities  
10 within Hawaii's classrooms. The legislature believes that  
11 adding a nonvoting teacher representative from bargaining unit  
12 (5) will ensure that the board has direct access to professional  
13 pedagogical expertise and first hand knowledge of the impact of  
14 policy decisions on students and educators.

15           The purpose of this Act is to add a nonvoting teacher  
16 representative, to be selected by the exclusive representative  
17 of bargaining unit (5), to the board of education.



1 SECTION 2. Section 302A-121, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§302A-121[+] Board of education; members; student  
4 [and], military, and teacher representatives. (a) The board  
5 shall consist of nine voting members as follows:

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

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

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

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

10 and

11 (5) Three at-large members; provided that the governor  
12 shall select an at-large member as the chairperson.

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

16 (b) Pursuant to article XVIII, section 12, of the Hawaii  
17 State Constitution, the period of transition from the elected to  
18 the appointed board shall be as determined in section 21 of Act  
19 5, Session Laws of Hawaii 2011.

20 (c) The members of the board shall serve without pay but  
21 shall be entitled to reimbursement for necessary expenses,



1 including travel and board and lodging expenses, while attending  
2 meetings of the board or when actually engaged in business  
3 relating to the work of the board.

4 (d) Pursuant to section 302A-447, the state student  
5 council shall select a nonvoting public high school student  
6 representative to the board.

7 (e) Pursuant to section 302A-1101(c), the board shall  
8 invite the senior military commander in Hawaii to appoint a  
9 nonvoting military representative to the board.

10 (f) The exclusive representative for bargaining unit (5)  
11 shall appoint to the board a nonvoting public school teacher  
12 representative, who shall be in good standing with the exclusive  
13 representative. The term of the nonvoting public school teacher  
14 representative shall be two years; provided that the nonvoting  
15 public school teacher representative may be reappointed for one  
16 additional consecutive term of two years.

17 (g) The nonvoting public school teacher representative  
18 appointed pursuant to subsection (f) shall be allowed to  
19 participate in all board meetings and shall be allowed to enter  
20 into executive sessions; provided that the nonvoting public  
21 school teacher representative shall be excluded from any



1 executive session that involves matters related to collective  
2 bargaining negotiations or other personnel matters that may pose  
3 a conflict of interest."

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Board of Education; Public School Teacher Representative

**Description:**

Requires the exclusive representative for bargaining unit (5) to appoint to the Board of Education a nonvoting public school teacher representative. Authorizes the nonvoting public school teacher representative to participate in all Board of Education meetings and enter into executive sessions, except in certain matters related to collective bargaining negotiations or personnel matters that may pose a conflict of interest. Effective 7/1/3000. (HD3)

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

