
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Section 302A-447, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~[+]§302A-447[+]~~ **State student council.** (a) There is
4 established within the department for administrative purposes
5 the state student council, which shall consist of representation
6 from each departmental school district.

7 ~~[(b) The council shall determine whether it shall directly
8 select the student member of the board or whether it shall run
9 an election to select that individual.]~~

10 ~~-(e)]~~ (b) The council shall establish policies and
11 procedures governing its operations, including the selection and
12 number of council members, without regard to the public notice,
13 public hearing, and gubernatorial approval requirements of
14 chapter 91, but subject to the open meeting requirements of
15 chapter 92.

16 ~~[-(d)]~~ (c) The state student council shall cooperate with
17 the student conference committee established under section 317-2



1 in planning the annual secondary school students conference
2 established under chapter 317."

3 SECTION 2. Act 5, Session Laws of Hawaii 2011, is amended
4 by amending section 2 to read as follows:

5 "SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
6 amended by adding seven new sections to be appropriately
7 designated and to read as follows:

8 "§302A-A Board of education; members; [~~student and~~]
9 **military representative.** (a) The board shall consist of [~~nine~~]
10 ten members as follows:

- 11 (1) One member from the county of Hawaii;
- 12 (2) One member from the county of Maui;
- 13 (3) One member from the county of Kauai;
- 14 (4) Three members from the city and county of Honolulu;
- 15 [~~and~~]
- 16 (5) Three at-large members; provided that the governor
17 shall select an at-large member as the chairperson[~~-~~];
- 18 and
- 19 (6) One public high school student.

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



1 (b) Pursuant to article XVIII, section 12, of the Hawaii
2 State Constitution, the period of transition from the elected to
3 the appointed board shall be as determined in section 21 of
4 Act [—] 5, Session Laws of Hawaii 2011.

5 (c) The members of the board shall serve without pay but
6 shall be entitled to reimbursement for necessary expenses,
7 including travel and board and lodging expenses, while attending
8 meetings of the board or when actually engaged in business
9 relating to the work of the board.

10 ~~[(d) Pursuant to section 302A-447, the state student~~
11 ~~council shall select a nonvoting public high school student~~
12 ~~representative to the board.]~~

13 (d) The student member shall be a voting member; provided
14 that the student member shall not vote on any issue directly
15 pertaining to personnel matters.

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

19 **§302A-B Board of education; eligibility.** Except as
20 otherwise provided by law, state officers shall be eligible for
21 appointment and membership to the board. No person shall be
22 eligible for appointment to the board:



1 (1) Under section 302A-A(a)(1) through (4) unless the
2 person is a resident of the county from which the
3 person is to be appointed; or

4 (2) Under section 302A-A(a)(5) unless the person is a
5 resident of the State.

6 **§302A-C Board of education; terms.** (a) [~~The~~] Except for
7 the student member, the governor shall set the terms of the
8 members initially appointed to the board under section 21 of
9 Act [~~—~~], 5, Session Laws of Hawaii 2011, as follows:

10 (1) Three members shall serve one-year terms;

11 (2) Three members shall serve two-year terms; and

12 (3) Three members, including the chairperson, shall serve
13 three-year terms.

14 (b) [~~The~~] Except for the student member, the term of each
15 member shall be three years, except as provided for in the
16 initial appointment in subsection (a). Members shall serve no
17 more than three consecutive three-year terms; provided that the
18 members who are initially appointed to terms of two years or
19 less pursuant to subsection (a) may be reappointed to three
20 ensuing consecutive three-year terms. If a member is nominated
21 to a second or subsequent consecutive term, the senate shall
22 consider the question of whether to reconfirm the member at



1 least one hundred twenty days prior to the expiration of the
2 member's immediately preceding term; provided that if the senate
3 has not taken final action to reconfirm the member by the one
4 hundred twenty-day deadline, the member shall continue to serve
5 until the senate takes final action on the reconfirmation.

6 (c) The term of the student [~~representative~~] member shall
7 be one year. The student [~~representative~~] member may be
8 [~~selected~~] reappointed for one additional consecutive term;
9 provided that the student [~~representative~~] member shall be a
10 student at the time of [~~selection~~] reappointment and shall be a
11 student for the majority of that term. If a student member is
12 to be appointed to a second term, the senate shall consider the
13 question of whether to reconfirm the student member at least one
14 hundred twenty days prior to the expiration of the student
15 member's first term; provided that if the senate is not in
16 session after the student member's reappointment by the governor
17 to a second term and prior to the expiration of the one hundred
18 twenty-day deadline by which the senate shall have considered
19 the question of reconfirmation, the member shall continue to
20 serve until the senate takes final action on the reconfirmation
21 when it convenes for the next regular session or the next



1 special session during which the senate is authorized to
2 consider the question of reconfirmation.

3 (d) Every member, including the student member, may serve
4 beyond the expiration date of the member's term of appointment
5 until the member's successor has been appointed by the governor
6 and confirmed by the senate in accordance with sections 302A-A,
7 302A-F, and 302A-G.

8 **§302A-D Board of education; organization; quorum;**
9 **meetings.** (a) The governor shall select a chairperson of the
10 board; provided that the chairperson shall be selected from
11 among the at-large members. The board shall select a vice
12 chairperson from among its members, and the vice chairperson
13 shall serve as interim chairperson in the event the
14 chairperson's seat becomes vacant.

15 (b) A majority of all the voting members to which the
16 board is entitled shall constitute a quorum to conduct business.
17 At any time the board has fewer than five voting members, three
18 voting members of the board shall constitute a quorum to conduct
19 business and the concurrence of at least three voting members
20 shall be necessary to make any action of the board valid.

21 (c) Notwithstanding chapter 92, from the convening of the
22 legislature in regular session to adjournment sine die of each



1 regular session, and during each special session of the
2 legislature, the board may file any notice that specifies only
3 legislation or legislation-related agenda items, no fewer than
4 two calendar days before the meeting.

5 **§302A-E Board of education; vacancies.** (a) The governor
6 shall notify the senate in writing within ten days of:

7 (1) Removing a member of the board; or

8 (2) Receiving notification that a member of the board is
9 resigning or has died;

10 provided that any vacancy shall be filled by appointment by the
11 governor, with the advice and consent of the senate, in
12 accordance with sections 302A-A , 302A-B, 302A-C, 302A-F, and
13 302A-G.

14 (b) Where the chairperson position becomes vacant, the
15 governor may nominate a sitting member of the board to the
16 chairperson position in accordance with subsection (a) and shall
17 fill any resulting vacancy in accordance with subsection (a).

18 **§302A-F Board of education; qualifications; administration**
19 **priorities.** (a) Upon the nomination of any board member, the
20 governor shall provide written documentation articulating the
21 administration's goals and priorities with respect to the



1 formation of a highly-functioning, well-balanced board, and
2 describing the nominee's qualifications.

3 (b) Each nominee shall meet the following minimum
4 qualifications:

- 5 (1) Record of integrity, civic virtue, and high ethical
6 standards. Each nominee shall demonstrate integrity,
7 civic virtue, and high ethical standards and be
8 willing to hold fellow board members to the same;
- 9 (2) Availability for constructive engagement. Each
10 nominee shall commit to being a conscientious and
11 attentive board member;
- 12 (3) Knowledge of best practices. Each nominee shall have
13 an understanding of best practices in educational
14 governance or shall be willing to be trained in such;
15 and
- 16 (4) Commitment to educational leadership. Each nominee
17 shall have a clear understanding of the board's role
18 in developing and protecting a clear, long-term
19 strategic vision for Hawaii's public schools, and
20 shall understand the need to hold the superintendent
21 of education accountable for making consistent
22 progress toward that vision.



1 (c) Each nominee, except as provided, shall ideally meet
2 the following recommended qualifications:

3 (1) Understanding of collective bargaining. Each nominee,
4 except the nominee for the student member, should
5 demonstrate an understanding of the collective
6 bargaining process and an ability to participate in
7 that process on behalf of the board free from any
8 conflict of interest;

9 (2) Experience governing complex organizations. Each
10 nominee should possess experience with complex
11 organizations and a proven ability to function
12 productively within them;

13 (3) Collaborative leadership ability. Each nominee should
14 have substantial leadership experience that ideally
15 illustrates the nominee's ability to function among
16 diverse colleagues as an effective team member, with
17 the ability to articulate, understand, and help shape
18 consensus surrounding board policies; and

19 (4) Commitment to education. Each nominee's record should
20 demonstrate a deep and abiding interest in education
21 and a dedication to the social, academic, and
22 character development of young people.



1 (d) The student member nominee shall have at least an
2 overall 2.0 grade point average and be in good standing for
3 graduation, including having a passing grade in all courses for
4 graduation.

5 **§302A-G Board of education; senate advice and consent.** In
6 determining whether to confirm the governor's nominees to the
7 board, the senate shall consider the combination of abilities,
8 breadth of experiences, and characteristics of the board, as a
9 whole, that will best serve the diverse interests and needs of
10 the students and their families, the education system in Hawaii
11 from early childhood through higher education, and the public
12 libraries. Such considerations shall include but not be limited
13 to reflecting the diversity of the student population,
14 geographical representation, and a broad representation of
15 education-related stakeholders."

16 SECTION 3. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.
19



Report Title:

Board of Education; Appointment; Student Member

Description:

Sets the terms and conditions of a student voting member on an appointed Board of Education. (SD1)

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

