A BILL FOR AN ACT

PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO PUBLIC EDUCATION.

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

SECTION 1. The purpose of this Act is to propose a constitutional amendment that would reform the existing public education system by transferring responsibility for the public schools in this State to seven or more independent school districts each governed by an elected local school board.

SECTION 2. Article X of the Constitution of the State of Hawaii is amended by adding two new sections to be designated and to read as follows:

"LOCAL SCHOOL BOARDS

Section . Public education in the State shall be provided through a decentralized system of independent school districts with schools required to follow and satisfy statewide student performance standards, as provided by law.

There shall be at least seven local school boards to oversee their respective school districts. Members of each
local school board shall be elected by qualified voters, as
provided by law. Each local school board shall:

1. Formulate district-wide educational policies;
2. Select principals to manage the schools in the local
   school board's school district;
3. Authorize the principal of each school to make the
decisions that affect student performance, educational
quality, and use of resources;
4. Evaluate the principals managing schools in the local
   school board's school district;
5. Administer programs that the schools are not able to
   administer alone; and
6. Establish an open system that allows, to the extent
   practicable given each school's resources and
capacity, the parents, guardians, and caretakers of
each public school student to select the school that
the student will attend.

EDUCATION STANDARDS AND ACCOUNTABILITY COMMISSION

Section. There shall be an education standards and
accountability commission, as provided by law, to:
(1) Establish and maintain rigorous academic and data-reporting standards that apply to all school districts within the statewide public education system;

(2) Ensure that the school districts operate in an open manner;

(3) Publish annual report cards on each school district's financial management and overall performance;

(4) Ensure that all state and federal mandates are fulfilled;

(5) Establish a formula for distributing general funds for school operations to all public schools based on the number and needs of students enrolled at each school;

(6) Establish a formula for the distribution of capital improvement project funds to the school districts; and

(7) Administer programs that the school districts cannot administer alone.

The legislature shall appropriate all general funds for school operations in a single amount to the education standards and accountability commission.

The legislature shall appropriate all capital improvement project funds for school capital improvement projects in a
single amount to the education standards and accountability commission."

SECTION 3. Article XVI, section 4, of the Constitution of the State of Hawaii is amended to read as follows:

"OATH OF OFFICE

Section 4. All eligible public officers, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as ............ to the best of my ability." As used in this section, "eligible public officers" means the governor, the lieutenant governor, the members of both houses of the legislature, the members of the [board of education] local school boards, the members of the national guard, State or county employees who possess police powers, district court judges, and all those whose appointment requires the consent of the senate."

SECTION 4. Article X, section 2 and 3, of the Constitution of the State of Hawaii are repealed.
Section 2. There shall be a board of education. The governor shall nominate and, by and with the advice and consent of the senate, appoint the members of the board of education, as provided by law.

POWER OF THE BOARD OF EDUCATION

Section 3. The board of education shall have the power, as provided by law, to formulate statewide educational policy and appoint the superintendent of education as the chief executive officer of the public school system."

SECTION 5. Article XVIII, section 7, of the Constitution of the State of Hawaii, is repealed.

"1978 BOARD OF EDUCATION ELECTIONS

Section 7. Members elected to the board of education in the 1978 general election shall serve for two-year terms."

SECTION 6. The question to be printed on the ballot shall be as follows:

"Shall the statewide appointed board of education be abolished and replaced by at least seven elected local school boards?"
SECTION 7. Constitutional material to be repealed is bracketed and stricken. New constitutional material is underscored.

SECTION 8. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii; provided that, subject to ratification, section 4 shall take effect on July 1, 2018.

INTRODUCED BY:  

JAN 28 2015
Report Title:
Constitutional Amendment; Public Education; Elected Local School Boards

Description:
Proposes a constitutional amendment that would: (1) establish local school boards throughout the State to be elected from at least 7 school districts as provided by law; and (2) create an educational standards and accountability commission.

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