
A BILL FOR AN ACT

RELATING TO THE BOARD OF EDUCATION.

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

1 PART I

2 SECTION 1. Section 302A-1106.5, Hawaii Revised Statutes,
3 is amended to read as follows:

4 "§302A-1106.5 Board of education; community [~~meetings.~~]
5 forums. [~~The board shall hold not less than one community~~
6 ~~meeting annually in each county in] In addition to their regular
7 meetings, the board shall hold no less than six community forums
8 annually to discuss and receive input from the community on
9 public education and public library issues[-]; provided that the
10 board shall hold at least one community forum in each county.
11 The board chairperson shall designate board members to attend
12 [~~the~~] each community [~~meetings.~~] forum. These community
13 [~~meetings~~] forums shall not be held for the purpose of
14 formulating educational policy. The community [~~meetings~~] forums
15 shall be exempt from [~~sections 92-2.5, 92-7, 92-9, and 92-41,~~
16 ~~provided that the board shall give written public notice of each~~
17 ~~community meeting. The meeting notice shall indicate the date,~~~~



1 ~~time, and place of the meeting, and shall be filed in the office~~
2 ~~of the lieutenant governor and in the board's office for public~~
3 ~~inspection six calendar days before the meeting. The notice~~
4 ~~shall also be posted at the site of the meeting.] chapter 92."~~

5 SECTION 2. At any public meeting properly noticed pursuant
6 to chapter 92, Hawaii Revised Statutes, the board of education
7 shall include an open forum at the end of its meeting agenda to
8 afford all interested persons an opportunity to present oral
9 testimony on any matter not on the agenda; provided that the
10 testimony is related to matters over which the board of
11 education has supervision, control, jurisdiction, or advisory
12 power.

13 SECTION 3. The board of education shall report to the
14 legislature no later than twenty days prior to the convening of
15 the regular session of 2022 on its efforts to amend its policies
16 to include an open forum at the end of its meeting agenda to
17 afford all interested persons an opportunity to present oral
18 testimony on any matter not on the agenda.

19 PART II

20 SECTION 4. Section 89-6, Hawaii Revised Statutes, is
21 amended by amending subsection (d) to read as follows:



1 "(d) For the purpose of negotiating a collective
2 bargaining agreement, the public employer of an appropriate
3 bargaining unit shall mean the governor together with the
4 following employers:

- 5 (1) For bargaining units (1), (2), (3), (4), (9), (10),
6 (13), (14), and (15), the governor shall have six
7 votes and the mayors, the chief justice, and the
8 Hawaii health systems corporation board shall each
9 have one vote if they have employees in the particular
10 bargaining unit;
- 11 (2) For bargaining units (11) and (12), the governor shall
12 have four votes and the mayors shall each have one
13 vote;
- 14 (3) For bargaining units (5) and (6), the governor shall
15 have three votes [~~7~~] and the board of education shall
16 have two votes [~~7, and the superintendent of education~~
17 ~~shall have one vote~~]; and
- 18 (4) For bargaining units (7) and (8), the governor shall
19 have three votes, the board of regents of the
20 University of Hawaii shall have two votes, and the



1 president of the University of Hawaii shall have one
2 vote.

3 Any decision to be reached by the applicable employer group
4 shall be [~~on the basis of~~] by a simple majority[-] vote, except
5 when a bargaining unit includes county employees from more than
6 one county. In that case, the simple majority shall include at
7 least one county."

8 PART III

9 SECTION 5. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 6. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

Board of Education; Public Meetings; Oral Testimony; Community Forums; Collective Bargaining; Voting

Description:

Requires the board of education to hold no less than six community forums annually, with at least one forum in each county. Requires the board to include an open forum for public comments on non-agenda items. Requires a report to the legislature on implementing open forums. Eliminates the superintendent of education as a voting member constituting the public employer for the purpose of negotiating a collective bargaining agreement with personnel of the department of education. Effective 7/1/2050. (SD2)

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

