A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 1, OF THE
CONSTITUTION OF THE STATE OF HAWAII TO REQUIRE THAT THE
STATEWIDE PUBLIC SCHOOL SYSTEM BE THOROUGH AND EFFICIENT.

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

SECTION 1. The legislature finds that article X, section
1, of the Hawaii State Constitution requires the State to
provide a system of public education but makes no mention of the
quality of the education system that the State is obligated to
provide. Compared to other states, Hawaii is unique because the
State, rather than a county or local level jurisdiction, is
responsible for public education. While the United Nations has
declared education to be a fundamental human right because a
quality education is a critical asset for individuals and
economies competing in today's globalized world, Hawaii
struggles to provide a quality education to all keiki. This
struggle is evidenced by a chronic teacher shortage that stands
at over one thousand positions per year, decaying school
facilities, and the fact that Hawaii spends less total tax
revenue on public education than any other state in the nation.
The legislature also finds that the virus known as "SARS-CoV-2" causes a disease named "coronavirus disease 2019" (COVID-19), which spread globally and was declared a pandemic by the World Health Organization on March 11, 2020. Upon reaching Hawaii's shores, the COVID-19 outbreak disrupted the public school system, leading to statewide school closures and the widespread adoption of remote learning programs by teachers, parents, and students. The pandemic highlighted inequalities existing within Hawaii's public education system, with socioeconomically disadvantaged communities and impoverished families often lacking the resources needed to participate in distance learning programs. Similarly, special education and high-needs students faced challenges in accessing the resources needed to support their educational progress. While these problems were revealed by the COVID-19 pandemic, they reflect and exacerbate longstanding disparities in the State's public school system, including an ongoing and chronic teacher shortage, inadequate resources for special education and high-needs children, deteriorating public school facilities, and a lack of culturally relevant education opportunities for Native Hawaiian students.
The purpose of this Act is to propose an amendment to article X, section 1, the Hawaii State Constitution to require that the statewide public school system be thorough and efficient.

SECTION 2. Article X, section 1, of the Constitution of the State of Hawaii is amended to read as follows:

"PUBLIC EDUCATION

Section 1. The State shall provide for the establishment, support and control of a thorough and efficient statewide system of public schools free from sectarian control, a state university, public libraries and such other educational institutions as may be deemed desirable, including physical facilities therefor. There shall be no discrimination in public educational institutions because of race, religion, sex or ancestry; nor shall public funds be appropriated for the support or benefit of any sectarian or nonsectarian private educational institution, except that proceeds of special purpose revenue bonds authorized or issued under section 12 of Article VII may be appropriated to finance or assist:
1. Not-for-profit corporations that provide early childhood education and care facilities serving the general public; and

2. Not-for-profit private nonsectarian and sectarian elementary schools, secondary schools, colleges and universities."

SECTION 3. The question to be printed on the ballot shall be as follows:
"Shall the statewide public school system be required to be thorough and efficient?"

SECTION 4. New constitutional material is underscored.

SECTION 5. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.

INTRODUCED BY: [Signature]
Report Title:
Education; Public School System; Constitutional Amendment

Description:
Proposes an amendment to article X, section 1, of the Hawaii State Constitution to require that the statewide public school system be thorough and efficient.

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