
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. In 2004, the legislature found that civil
2 service employees of department of education schools should not
3 lose their civil service status, rights, and benefits upon
4 conversion of their schools to new century conversion charter
5 schools. To preserve the civil service status, rights, and
6 benefits of these employees and those hired after a school's
7 conversion to a new century conversion charter school, the
8 legislature granted civil service status to these employees when
9 it enacted Act 63, Session Laws of Hawaii 2004.

10 At the same time, however, the legislature enacted Act 51,
11 Session Laws of Hawaii 2004 (Act 51), which separated department
12 of education civil service employees from the authority of the
13 department of human resources development to reduce bureaucracy.
14 In contrast, the civil service employees of new century
15 conversion charter schools were deemed, under Act 51, to remain
16 under the authority of the department of human resources
17 development. Therefore, under current law, these employees
18 cannot be considered for lateral transfers and promotions to



1 other department of education schools as similar civil service
2 employees of the department of education.

3 It was not, however, the intent of the legislature to
4 deprive civil service employees of new century conversion
5 charter schools the opportunity to be considered for transfers
6 and promotions to other department of education schools.

7 The purpose of this Act is to preserve the rights,
8 privileges, and benefits of civil service employees of new
9 century conversion charter schools by specifically including
10 them in the department of education's human resources system and
11 providing that they shall continue to enjoy uninterrupted civil
12 service status when transferred, promoted, or taking a voluntary
13 demotion to another civil service position.

14 SECTION 2. Section 302A-1184, Hawaii Revised Statutes, is
15 amended by amending subsection (b) to read as follows:

16 "(b) Civil service employees of department of education
17 schools shall retain their civil service status upon the
18 conversion of their school to a new century conversion charter
19 school. Positions in a new century conversion charter school
20 that would be civil service in a department of education public
21 school shall be civil service positions and subject to chapter
22 76. Civil service employees of a new century conversion charter



1 school shall retain their civil service status in the
2 department's human resources civil service system and shall be
3 entitled to all rights and benefits as other civil service
4 employees employed by the department. Civil service exempt
5 employees, as defined in section 76-16(b), of a new century
6 conversion charter school shall retain their status in the
7 department's human resources civil service system for support
8 services personnel and shall be entitled to all rights and
9 benefits of civil service employees employed by the department.

10 An employee with civil service status at a new century
11 conversion charter school who transfers, is promoted, or takes a
12 voluntary demotion to another civil service position shall be
13 entitled to all of the rights, privileges, and benefits of
14 continuous, uninterrupted civil service."

15 SECTION 3. New statutory material is underscored.
16 SECTION 4. This Act shall take effect on July 1, 2020.

HB 2551
HD2

Report Title:

Education; Charter School; Employees; Civil Service

Description:

Confers the same rights and benefits of civil service employees in the department of education to civil service employees of conversion charter schools. (HB2551 HD2)

HB2551 HD2 HMS 2006-2539

