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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1           SECTION 1. The legislature finds that civil service  
2 employees of the department of education schools should not lose  
3 civil service status, rights, and benefits upon conversion of  
4 their schools to new century conversion charter schools. To  
5 preserve the civil service status, rights, and benefits of  
6 department of education employees transferred to new century  
7 conversion charter schools, as well as those hired after  
8 conversion to new century conversion charter schools, the  
9 legislature granted them civil service status through Act 63,  
10 Session Laws of Hawaii 2004.

11           The legislature also enacted Act 51, Session Laws of Hawaii  
12 2004, which separated department of education civil service  
13 employees from the department of human resources development's  
14 authority to reduce bureaucracy. In contrast, the new century  
15 conversion charter school civil service employees were deemed,  
16 under Act 51, Session Laws of Hawaii 2004, to be under the  
17 authority of the department of human resources development.



1       It was not, however, the intent of the legislature with the  
2 enactment of Act 63, Session Laws of Hawaii 2004, and Act 51,  
3 Session Laws of Hawaii 2004, to deprive these civil service  
4 employees of the new century conversion charter schools the  
5 opportunity to be considered for transfers and promotions to  
6 other department of education schools. If the civil service  
7 employees of the new century conversion charter schools remain  
8 under the authority of the department of human resources  
9 development, they cannot be considered for lateral transfers and  
10 promotions within the department of education.

11       The purpose of this Act is to preserve the rights,  
12 privileges, and benefits of civil service employees of the new  
13 century conversion charter schools by permitting them to remain  
14 within the department of education's human resources system.

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

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



1 76. Civil service employees of a new century conversion charter  
2 school shall retain their civil service status in the department  
3 of education's human resources civil service system and shall be  
4 entitled to all rights, privileges, and benefits as other civil  
5 service employees employed by the department of education.  
6 Exempt civil service employees, as provided in section 76-16(b),  
7 of a new century charter school and new century conversion  
8 charter school shall retain their status in the department of  
9 education's human resources system for support services  
10 personnel and shall be entitled to all rights, privileges, and  
11 benefits as other exempt civil service employees employed by the  
12 department of education. An employee with civil service status  
13 at a new century conversion charter school who transfers, is  
14 promoted, or takes a voluntary demotion to another civil service  
15 position within the department of education shall be entitled to  
16 all of the rights, privileges, and benefits of continuous,  
17 uninterrupted civil service."

18 SECTION 3. New statutory material is underscored.

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



SB 2652 SD2  
HD1

**Report Title:**

Education; Conversion Charter Schools; Employees; Civil Service

**Description:**

Confers the same rights, privileges, and benefits of civil service employees in DOE to civil service employees of new century conversion charter schools. Confers the same rights, privileges, and benefits of exempt civil service employees of DOE to exempt civil service employees of new century charter schools and new century conversion charter schools. Ensures that civil service employees at new century conversion charter schools who are promoted or take a voluntary demotion to another civil service position within DOE receive the same rights, privileges, and benefits of continuous, uninterrupted civil service. (SB2652 HD1)

