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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 found 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. In  
5 order to preserve the civil service status, rights, and benefits  
6 of the department of education employees transferred to the new  
7 century conversion charter schools and those hired after  
8 conversion to new century conversion charter schools, the  
9 legislature granted civil service status to the employees when  
10 it enacted Act 63, Session Laws of Hawaii 2004.

11           The legislature also enacted Act 51, Session Laws of Hawaii  
12 2004, which separated the department of education civil service  
13 employees from the department of human resources and development  
14 authority to reduce bureaucracy. In contrast, the new century  
15 conversion charter school civil service employees were deemed,  
16 under Act 51, to be under the authority of the department of  
17 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, these employees cannot be considered for lateral  
10 transfers and promotions as similar civil service employees of  
11 the department of education.

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

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

19           "(b) Civil service employees of department of education  
20 schools shall retain their civil service status upon the  
21 conversion of their school to a new century conversion charter  
22 school. Positions in a new century conversion charter school



1 that would be civil service in a department of education public  
 2 school shall be civil service positions and subject to chapter  
 3 76. Civil service employees of a new century conversion charter  
 4 school shall be deemed to be employed as civil service employees  
 5 in the department of education human resources civil service  
 6 system and shall be entitled to all rights and benefits as other  
 7 civil service employees employed by the department of education.

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

13 SECTION 3. New statutory material is underscored.

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

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**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 the new conversion charter schools.

