
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 department employees transferred to new century conversion
7 charter schools, as well as those hired after conversion to new
8 century conversion charter schools, the legislature granted them
9 civil service status through Act 63, Session Laws of Hawaii
10 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
14 authority in order to reduce bureaucracy. In contrast, the new
15 century conversion charter school civil service employees were
16 deemed, under Act 51, to be under the authority of the
17 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 the civil service employees of the
13 new century conversion charter schools by permitting them to
14 remain within the department of education human resources
15 system.

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

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



1 school shall be civil service positions and subject to chapter
2 76. Civil service employees of a new century conversion charter
3 school shall retain their civil service status in the department
4 of education human resources civil service system and shall be
5 entitled to all rights and benefits as other civil service
6 employees employed by the department of education. Exempt civil
7 service employees as defined in chapter 76-16 of a new century
8 conversion charter school shall retain their status in the
9 department of education human resources system for support
10 services personnel and shall be entitled to all rights and
11 benefits as other 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 or is
14 promoted to another civil service position shall be entitled to
15 all of the rights, privileges, and benefits of continuous,
16 uninterrupted civil service."

17 SECTION 3. New statutory material is underscored.

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

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. (SD1)

