

Honolulu, Hawaii

MAR - 3 2006

RE: S.B. No. 2719  
S.D. 2

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2719, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to create a new public charter school law and to adopt a number of proposals recommended by the task force on charter school governance established by Act 87, Session Laws of Hawaii 2005.

Specifically, the measure:

- (1) Establishes a new chapter in the Hawaii Revised Statutes for the administration and governance of charter schools;
- (2) Creates clarity in the establishment of both start-up and conversion charter schools;
- (3) Clarifies the powers and duties of the charter school administrative office;
- (4) Limits the number of new charter schools established annually; and
- (5) Empowers local school boards to negotiate collective bargaining agreements.



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Your Committee finds that charter schools provide an alternative style and setting for public school education that is appropriate for a number of Hawaii students. To make charter schools more effective and efficient for these students, your Committee believes that this measure is necessary to create consistency and to clarify laws relating to the governance of charter schools.

Your Committee has amended this measure by:

- (1) Amending the definition of "charter school" and "conversion charter" school and including a new definition of "start-up charter school" to clarify the distinction between the two types of charter schools;
- (2) Clarifying that, as of July 2007, the limit on charter schools allows up to four new start-up charter schools each year;
- (3) Moving language specifying that a nonprofit organization seeking to operate or manage a conversion charter school is required to make a minimum financial contribution to the school from the definition of "nonprofit organization" to an operative provision;
- (4) Deleting language that allows only programs or sections of existing public school populations, as opposed to the public school itself, to use existing public school facilities to start a conversion charter school;
- (5) Clarifying that charter schools are exempt from "applicable" state laws, not all other state laws;
- (6) Deleting language relating to exempt civil service employees;
- (7) Amending certain responsibilities of the Department of Education and special education services relating to charter schools to conform to existing law;
- (8) Deleting amendments to sections 26-12; 302A-301; 302A-1101; 302A-1111; and 302A-1128, Hawaii Revised Statutes;
- (9) Deleting the proviso relating to the effective date;



- (10) Changing the effective date to July 1, 2050; and
- (11) Making technical nonsubstantive changes for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2719, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2719, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,




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BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Third Legislature  
State of Hawaii

Record of Votes of the  
Committee on Ways and Means  
(Bills and Resolutions)

Measure:* SB 2719 SD1	Committee Referral: EDM, WAM	Date: 2/28/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
TANIGUCHI, Brian T. (C)	/			
TSUTSUI, Shan S. (VC)	/			
ENGLISH, J. Kalani	/			
ESPERO, Will	/			
FUKUNAGA, Carol	/			
HOOSER, Gary L.				/
INOUE, Lorraine R.	/			
KANNO, Brian				/
KIM, Donna Mercado	/			
KOKUBUN, Russell S.	/			
NISHIHARA, Clarence K.	/			
SAKAMOTO, Norman	/			
HEMMINGS, Fred				/
SLOM, Sam	/			
TRIMBLE, Gordon	/			
TOTAL	12	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Do not list more than one measure per Record of Votes.