

JAN 18 2008

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 the purposes of
2 Act 115, Session Laws of Hawaii 2007 (Act 115), include
3 clarifying the significant role of the board of education in
4 policymaking for charter schools, and delegating certain
5 responsibilities, including charter school authorization and
6 oversight, to the charter school review panel.

7 Act 115 also states that it was not the legislature's
8 intent that Act 115 alter or affect the board of education's
9 role as the state education agency for the State.

10 The legislature further finds that article X,
11 section 3 of the Constitution of the State of Hawaii provides
12 that the board of education shall have the power, as provided by
13 law, to formulate statewide educational policy.

14 The purpose of this Act is to make clarifying amendments to
15 laws affecting the charter schools.

16 SECTION 2. Section 302A-1101, Hawaii Revised Statutes, is
17 amended by amending subsection (d) to read as follows:



1 "(d) The board shall appoint the charter school review
2 panel, which shall serve as the charter authorizer for charter
3 schools, with the power and duty to issue charters, oversee and
4 monitor charter schools, hold charter schools accountable for
5 their performance, and revoke charters. The board shall also
6 have the power to remove any member of the charter school review
7 panel as may be necessary."

8 SECTION 3. Section 302B-1, Hawaii Revised Statutes, is
9 amended by amending the definition of "organizational viability"
10 to read as follows:

11 "Organizational viability" means that a charter school:

- 12 (1) Has been duly constituted in accordance with its
13 charter;
- 14 (2) Has a local school board established in accordance
15 with law and the charter school's charter;
- 16 (3) Employs sufficient faculty and staff to provide the
17 necessary educational program and support services to
18 operate the facility in accordance with its charter;
- 19 (4) Maintains accurate and comprehensive records regarding
20 students and employees as determined by the office;
- 21 (5) Meets appropriate standards of student achievement;



- 1 (6) Cooperates with board, panel, and office requirements
- 2 in conducting its functions;
- 3 (7) Complies with applicable federal, state, and county
- 4 laws and requirements;
- 5 (8) In accordance with office guidelines and procedures,
- 6 is financially sound and fiscally responsible in its
- 7 use of public funds, maintains accurate and
- 8 comprehensive financial records, operates in
- 9 accordance with generally accepted accounting
- 10 practices, and maintains a sound financial plan;
- 11 (9) Operates within the scope of its charter and fulfills
- 12 obligations and commitments of its charter;
- 13 (10) Complies with all health and safety laws and
- 14 requirements; [~~and~~]
- 15 (11) Complies with all panel directives, policies, and
- 16 procedures [~~-~~]; and
- 17 (12) Complies with all board policies."

18 SECTION 4. Section 302B-3, Hawaii Revised Statutes, is
19 amended as follows:

20 1. By amending subsection (c) to read:

21 "(c) The board shall appoint the remaining members of the
22 panel other than the chair of the board. The board also shall

1 have the power to remove any member of the panel as may be
2 necessary."

3 2. By amending subsection (1) to read:

4 "(1) [The] Notwithstanding section 302B-9, the panel shall
5 be [~~exempt from~~] subject to chapter 92."

6 SECTION 5. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 6. This Act shall take effect upon its approval.

9

INTRODUCED BY: Norman Sakam



Report Title:
Charter Schools

Description:
Makes clarifying amendments to laws affecting the charter schools.

