

TESTIMONY COVER PAGE

LATE TESTIMONY

Submitted by: Linda Elento, Member
The Hawaii Down Syndrome Congress
(808) 235-7610

EDN, 02-01-08, 2:15 PM

HB3220 Relating to Charter Schools

5 copies requested

The Hawaii Down Syndrome Congress—

We are 196 families and friends of individuals with Down syndrome.

Jason, Oahu

Including the following Hawaii Down Syndrome Congress members:

Roy Yamane, President
Constance Smith, Former President, Greg HONOLULU
Wendell & Linda Elento, Jason, age 7 KANEOHE, OAHU
Dennis & Debbie Prouty, Tiana, age 3 KIHEI, MAUI
Kevin & Keala McKenzie, Connor, 4 KAILUA, OAHU
Cecilia Walters
Aurora Mau, Aidan, age 4 HONOLULU
Gerry Abbey HONOLULU
Ryan & Margaret Tanaka, Brett Tanaka HONOLULU
Charlie & Lotus Seamster HONOLULU
Kathy Bento MAUI
Melody Kubo, Avery
Joe and Nancy Richman, Skyler, age 10
David, Nick and Katie Huth
Robert and Janet Takushi, Daniel, age 13
The Aloha Place, Homeschoolers with disabilities, KAILUA, OAHU
Terri & Michael Glotfelty
Kathy & Anthony Commendador
Cheryl Yamane KAPOLEI
Kipp and Joy Chun HONOLULU
Barbara Street
Lorie & Charlie Ioane
Karen, Heinz & Aiden Cronauer
Matt & Lisa Gentry KAILUA, OAHU

Tiana, Maui

February 1, 2008

HB3220 EDN Hearing 02-01-08, 2:15pm

To: Representative Roy Takumi, Chair, Education
Representative Lyla Berg, Ph.D., Vice Chair, Education
Education Committee Members

From: Linda Elento, Member, The Hawaii Down Syndrome Congress, (808) 235-7610

HB3220 Charter Schools: Support of Suggested Amendment Re: Special Education

This is a request for the Education Committee to pass HB3220 with an amendment by inserting the following:

"§302B-15 Responsibilities of department of education; special education services.

(b) If the charter school is unable to provide all of the required services, then services to the student shall be provided by the department according to services determined by the student's individualized educational program team. ~~[The department shall collaborate with the office to develop guidelines related to the provision of special education services and resources to each charter school. The department shall review all of the current individualized education programs of special education students enrolled in a]~~ A charter school [and] may [offer] request from the department, staff, funding, or both, [to the charter school] based upon a per-pupil weighted formula implemented by the department and used to allocate resources for special education students in the public schools."

Justification

HB3220, Section 1, page 1, line 1

The authority given to Charter schools must be considered in determining the authority of the Board of Education, the Charter School Administrative Office, and individual Charter Schools.

HB3220, Section 3, page 2, line 9

The recommended amendment, which complies with Section 302B-1—"Organizational viability" would allow charter schools to be created, in addition to existing charter schools, to serve keiki with disabilities for the reason charter schools were established:

Definition of Charter School also applies to services provided to children who need federal and state mandated special education and related services. **§302B-1 Definition.** "Charter school" refers to those public schools holding charters to operate as charter schools under this chapter, including start-up and conversion charter schools, and that have the flexibility and independent authority to implement alternative frameworks with regard to curriculum, facilities management, instructional approach, virtual education, length of the school day, week, or year, and personnel management.

Without this recommended amendment, the Charter school does not have the flexibility and independent authority and is not able to select curriculum, instructional approach, personnel management for the provision of special education services. This lack of authority contradicts the definitions of Charter school and Local school board [**§302B-1**] and diminishes the ability of a charter school to request special education services and/or special education funds from the DOE.