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## A BILL FOR AN ACT

RELATING TO RECONSTITUTING SCHOOLS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Public schools, including charter schools,  
2 which have been in restructuring for three or more years and  
3 which have not advanced significantly toward improving academic  
4 performance, should be reconstituted using extraordinary  
5 measures. Dramatic steps must be taken to ensure that our  
6 students make adequate academic progress.

7           The purpose of this Act is to allow the superintendent of  
8 education to:

- 9           (1) Notwithstanding collective bargaining agreements,  
10           memorandums of agreement, or memorandums of  
11           understanding, reconstitute a public school, except a  
12           charter school, which has been in restructuring for  
13           three or more school years; and
- 14           (2) Recommend to the charter school review panel actions  
15           that should be taken to reconstitute a charter school,  
16           which has been in restructuring for three or more  
17           school years, and recommend that the charter school  
18           review panel revoke the charter school's charter.



1 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§302A- Reconstituting schools. (a) The  
5 superintendent may, notwithstanding collective bargaining  
6 agreements, memorandums of agreement, or memorandums of  
7 understanding, reconstitute a public school, except a charter  
8 school, which has been in restructuring as defined by the No  
9 Child Left Behind Act of 2001, Public Law 107-110, for three or  
10 more school years. The superintendent may take actions that  
11 include:

12 (1) Replacing all or most staff, including teachers,  
13 principals, and other support staff;  
14 (2) Entering into contracts with private entities to  
15 manage schools; and  
16 (3) Changing the membership of the school community  
17 council.

18 (b) The superintendent may recommend to the charter school  
19 review panel actions that should be taken to reconstitute a  
20 charter school, which has been in restructuring as defined by  
21 the No Child Left Behind Act of 2001, Public Law 107-110, for



1 three or more school years, and may recommend that the charter  
2 school review panel revoke the charter school's charter.

3 (c) The board of education shall adopt rules pursuant to  
4 chapter 91 as may be necessary to implement this section."

5 SECTION 3. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2009.

7

INTRODUCED BY:



JAN 22 2009



**Report Title:**

Schools; Reconstitution

**Description:**

Allows the Superintendent of Education to reconstitute a public school, except a charter school, which has been in restructuring for three or more school years. Also allows the Superintendent to recommend to the charter school review panel actions that should be taken to reconstitute a charter school which has been in restructuring for three or more school years, and recommend that the charter school review panel revoke the charter school's charter.

