

JAN 23 2009

A BILL FOR AN ACT

RELATING TO SCHOOLS.

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

1 SECTION 1. The legislature finds that a public school,
2 including a charter school, which has been identified as a
3 school in restructuring for three years or more and has not made
4 significant growth in academic performance, needs to be
5 reconstituted using extraordinary measures. Such schools must
6 be dramatically reconstituted to ensure that students make
7 adequate academic growth.

8 The purpose of this Act is to strengthen public education
9 by authorizing the superintendent of education to:

- 10 (1) Notwithstanding collective bargaining agreements,
11 memorandums of agreement or memorandums of
12 understanding, reconstitute any public school except a
13 charter school;
- 14 (2) Recommend to the charter school review panel specific
15 actions that should be taken to reconstitute a charter
16 school; and



1 (3) Recommend that the charter school review panel revoke
2 a charter for any school that has been in
3 restructuring for three or more years.

4 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follow:

7 "§302A- Reconstituting schools. (a) Notwithstanding
8 collective bargaining agreements, memorandums of agreement, or
9 memorandums of understanding, the superintendent may
10 reconstitute any public school except a charter school that has
11 been in restructuring, as defined in the federal No Child Left
12 Behind Act of 2001 (Public Law 107-110), for more than three
13 school years.

14 (b) The superintendent, in any school except a charter
15 school, may take action including, but not limited to:
16 replacing all or most staff including teachers, principals, and
17 other support staff; entering into contracts with private
18 entities to manage schools; and changing the membership of the
19 school community council.

20 (c) The superintendent may recommend to the charter school
21 review panel actions that should be taken to reconstitute a



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1 charter school and may recommend that the charter school review
2 panel revoke a charter school's charter.

3 (d) 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.

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INTRODUCED BY: Norman Sakuma



Report Title:

Education; Reconstituting Schools

Description:

Authorizes the superintendent of education, notwithstanding collective bargaining agreements, memorandums of agreement or memorandums of understanding, to reconstitute any public school except a charter school; recommends to the charter school review panel specific actions that should be taken to reconstitute a charter school; and recommends that the charter school review panel revoke a charter for any school that has been in restructuring for three or more years.

