

STAND. COM. REP. NO.

2619

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2589  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 2589, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS,"

begs leave to report as follows:

The purpose of this measure is to require the Department of Education to make available vacant school facilities or portions of school facilities for use by charter schools.

Your Committee held a public hearing on a proposed draft of this measure. The purpose of the proposed draft is to:

- (1) Require the Department of Education to make available vacant school facilities or portions of school facilities for use by charter schools;
- (2) Change the charter school funding to promote equitable funding for charter school students; and
- (3) Require that per-pupil allocation checks paid by the Charter School Administrative Office to individual charter schools be co-signed by the Executive Director of the Charter School Administrative Office and an agent of the Charter School Review Panel.

Testimony in support of the proposed draft was submitted by the Department of Education, the Charter School Administrative Office, and the Hawaii Charter Schools Network. Written testimony

SB2589 SD2 SSCR LRB 10-1933.doc



presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that public charter schools often encounter challenges in securing school facilities, such as high rent and less-than-desirable locations. This measure addresses those challenges by providing charter schools with access to the available school facilities of the Department of Education. Your Committee also finds that by providing a supportive environment for all public schools, including charter schools, in Hawaii, this measure places the State in a better position to qualify for the federal Race to the Top and other grant programs.

Your Committee recognizes, however, the growth and development of the charter school system has created challenges relating to accountability and the administration and reauthorization of charter schools.

Accordingly, your Committee amended this measure by replacing its contents with those of the proposed draft and further amending the measure by:

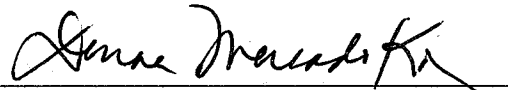
- (1) Requiring the Charter School Review Panel to adopt a clear process and rigorous criteria for the reauthorization of charter schools;
- (2) Requiring the Charter School Review Panel to reauthorize each charter school no later than four years after the issuance of the initial charter and every four years thereafter;
- (3) Requiring the Charter School Administrative Office to withhold funds for its operational expenses, including salaries for staff and the executive director;
- (4) Requiring the Charter School Administrative Office to report annually to the Charter School Review Panel the individual and aggregate expenditures of charter schools and to clearly distinguish between expenditures for operational and instructional purposes;
- (5) Repealing the cap on the number of start-up and conversion charter schools;



- (6) Clarifying that when the Department of Education considers closing a public school, it shall give reasonable consideration to making all or portions of the facilities available to charter schools, either exclusively or jointly with the Department of Education, or the department may elect to use the facilities to support educational programs;
- (7) Establishing the over-appropriation special fund;
- (8) Clarifying the requirements of general fund per-pupil request for each regular education and special education student, to align that statutory provision with the Administration's practice of excluding adult education and the after school plus program from the per-pupil calculation;
- (9) Making a technical amendment to add boilerplate language relating to the Revisor of Statutes numbering of new sections; and
- (10) Making technical nonsubstantive amendments for purposes of clarity 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. 2589, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2589, S.D. 2.

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

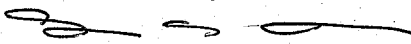


DONNA MERCADO KIM, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2589 SBI	EDH, WAM	2/24/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<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	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton	/			
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
<b>TOTAL</b>	//	0	0	/
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	

\*Only one measure per Record of Votes