

SB143

Date of Hearing: Wednesday, February 11, 2009

Committee: Senate Committee on Education and Housing

Board: Education

Person Testifying: Garrett Toguchi, Chairperson, Board of Education

Title of Bill: S.B. No. 143, Relating to Education

Purpose of Bill: Makes clarifying amendments to laws affecting the charter schools by:

- (1) Specifying under the definition of “organizational viability,” charter school compliance with Board of Education (Board) policies and Department of Education (Department) directives;
- (2) Enabling the Board to remove members of the Charter School Review Panel for cause; and
- (3) Repealing the requirement that the Board adopt rules pursuant to Chapter 91, Hawaii Revised Statutes (Administrative Procedure Law) for placing charter schools on probation and for revoking a charter.

Board's Position: Chairperson Sakamoto, Vice Chairperson Kidani, and members of the Senate Committee on Education and Housing, thank you for the opportunity to submit testimony **in support of S.B. No. 143.**

Act 115, Session Laws of Hawaii (SLH) 2007 authorized the Board with the power to appoint members to the Charter School Review Panel. The Board believes that there may be a time when there is compelling reason to remove a member or members from the panel. Just as appointment power was granted to the Board, we believe that the Board should have the authority and responsibility to remove members from the panel.

S.B. No. 143 also amends the definition of “organizational viability” to include that charter schools are to comply with Board policies and Department directives. The Board would like to amend the language in the provision regarding compliance with Board policies and Department directives, and change the language to: compliance with Board policies made in the Board’s capacity as the State Education Agency (SEA) and compliance with Department directives made in the Department’s capacity as the SEA. As the SEA, the Board asserts that all public schools, whether they are charter schools or Department schools, must comply with statewide educational policies of the Board.

Finally, by Act 115, SLH 2007, the responsibilities of issuing and revoking charters, approving Detailed Implementation Plan revisions, and conducting charter school evaluations, which may include probation or revocation, now rests with the Charter School Review Panel. For this reason, the Board believes that the provision that requires the Board to adopt rules for placing charter schools on probation and for revoking a charter is inapplicable and should be repealed.

Thank you for the opportunity to testify in support of S.B. No. 143.

Linda Lingle
Governor



Vanelle Maunalei Love
Executive Director

Charter School Administrative Office

1111 Bishop Street, Suite 516
Honolulu, Hawaii 96813
Tel: 586-3775 Fax: 586-3776

FOR: SB143, Relating to Education
DATE: Wednesday, February 11, 2009
TIME: 2:30 p.m.
COMMITTEE(S): Committee on Education and Housing
ROOM: Conference Room 225
FROM: Maunalei Love, Executive Director

Chair Sakamoto, Vice Chair Kidani, and Members of the Committee:

Thank you for the opportunity to testify today on this measure. The CSAO supports the intent of this bill to clarify the powers of the Board of Education with respect to charter schools. However, we do have concerns regarding the addition of the language in new subsections (12) and (13) on page 3, lines 18-19. The issues of Board of Education Policies and Department of Education Directives acting as the State Educational Agency have been discussed in previous years. Under current state and federal law, the board and department already have the authority to act as the State Education Agency when necessary. To readdress this again in a separate bill is unnecessary.

To also state that charter schools are to be directed by the Department of Education made in the Department's capacity at the State Educational Agency would create an ambiguous mandate. Charter schools were created to allow for a public educational system with greater autonomy and freedom while still being held to specifications within the federal and state statutes. Taking this away would be going against the original intent of the charter school law. The main question would be: How do we differentiate between what directives would be allowable and what should not be? This will absolutely lead to a need for further clarification as department and charter school personnel debate the interpretation of autonomy and freedom as intended in the statute.

The addition of this language would create a mandate that charter schools follow board policies and department directives like the departmental schools. The charter schools were created to be innovative and different from the departmental schools.

We respectfully ask that the committee amend this bill by deleting these additions and pass the bill forward as amended.

Thank you again for your support of Hawaii's Charter School System and the opportunity to testify.



SB 143 RELATING TO CHARTER SCHOOL EDUCATION

Senate Committee on Education and Housing
Senator Norman Sakamoto, Chair
Senator Michelle Kidani, Vice Chair

February 11, 2009
225

2:30p.m.

Room

Mahalo Chairman Sakamoto and Committee members for this opportunity to present testimony regarding **SB 143**. The Office of Hawaiian Affairs (OHA) **OPPOSES**, **SB143**, Relating to Education. OHA believes the legislature's intent to clarify amendments to Act 115 will not improve Hawai'i's charter school law to best support Hawai'i charter schools. OHA respectfully reminds the Committees of our responsibilities and integral concerns for our beneficiaries' educational environment. Our statutory mandates include the following requirements: "To advise and inform federal, state, and county officials about native Hawaiian and Hawaiian programs, and coordinate federal, state, and county activities relating to native Hawaiians and Hawaiians" (Hawaii Revised Statutes, § 10-6(a)(4)), and "Assessing the policies and practices of other agencies impacting on native Hawaiians and Hawaiians, and conducting advocacy efforts for native Hawaiians and Hawaiians." (HRS, § 10-3(4

We wish to respectfully remind the Committee that since 2005, the Office of Hawaiian Affairs has been a supporter of the charter school movement, and has collaborated in partnership with the Kamehameha Schools' Ho'olako Like program, 'Aha Pūnana Leo, Ho'okāko'o Corporation and other non-profit organizations supporting 15+ Hawaiian-focused charter schools statewide, where Native Hawaiians make up about 88% of the student population. Most of Hawai'i's start-up and conversion public charter schools are Hawaiian-focused charter schools and more than 3,000 Native Hawaiian children are enrolled in these schools.

In spite of the challenges and severe under-funding, Hawaiian-focused charter schools have demonstrated their effectiveness in serving our Hawaiian children to be more engaged and attain greater gains in the educational process as compared to their peers in conventional public schools. Our children are succeeding in the Hawaiian-focused charter schools because they are grounded in Hawaiian language, culture and values. The well-being of our Hawaiian families and communities are also enhanced by the positive gains made in our Hawaiian-focused charter schools. **SB 143**, is seemingly intended to impose further policies and regulations on charter schools resulting in probationary sanctions and charter revocation for non-compliance. It would be apparent that such policy, by its punitive nature, would only deter all successful gains and growth of Hawaiian-focused charter schools.

The Board of Trustees, the Administration and the staff of the Office of Hawaiian Affairs is committed to fulfill its education mission to facilitate culturally sound educational opportunities for Native Hawaiians by promoting

academic success and life-long learning. To this measure, the Board of Trustees has authorized and allocated 6.6 million dollars over the last three years leveraging other potential resources to fund Hawaiian-focused public charter schools. Thus, OHA has a vested interest in Hawai'i charter schools.

It is not enough to make possible the opportunity for our children to attend charter schools. It is incumbent upon us to ensure that education reform and the policies we implement must be reflective of the promising future that we envision for them and for our society. The State is the largest stakeholder and is charged with the greatest responsibility or "kuleana" to make this possible. OHA opposes **SB143** and urges the legislature to oppose this measure also. Mahalo nui for the opportunity to present this testimony.

From: [tom macdonald](#)
To: [EDH Testimony](#)
Subject: SB 143 Charter Schools Hearing Feb 11 2:30 PM
Date: Saturday, February 07, 2009 2:26:08 PM

My name is Tom Macdonald. I am a member of the Charter School Review Panel

The Panel **strongly opposes** the provision contained in SB143 that would require charter schools to comply with Board of Education Policies and Department of Education Directives.

The whole charter school community fears that these provisions could be used to take away the autonomy and flexibility in operations that the Legislature intended charter schools to have.

The Panel is already charged by law with ensuring that charter schools comply with all state and federal laws relating to education, and is closely monitoring such compliance. There is no need for the Board or the Department to impose their policies and directives on charter schools in order to ensure compliance with these laws.

The Panel does not object to the other provisions of SB143 regarding removal of Panel members for cause or eliminating the Board's rule-making authority on charter school probation or charter revocation.



Ho'okāko'o Corporation

*"Supporting New Opportunities
for Student Success through
Conversion Charter Schools"*

To: The Honorable Norman Sakamoto, Chair
Members of the Senate Committee on Education and Housing

From: Lynn Fallin, Executive Director/Chief Executive Officer
Ho'okako'o Corporation

Date: February 11, 2009
Time: 2:30 pm
Place: Room 225
State Capitol

Subject: Senate Bill (SB) 143

The Ho'okako'o Corporation (HC) **does not support SB 143** Section 302B-1 (13) that requires charter schools to comply with DOE directives. Charter schools do not fall under the state mandated jurisdiction of the DOE. Charter schools operate outside the DOE with their own Local School Boards. The Charter School Review Panel (CSRP) has the role, responsibility and authority to work with charter schools as stated in Section in 302B-14.

HC and its' partner conversion charter schools respect and appreciate the DOE Superintendent's leadership and efforts to support implementation of Act 2 (2002). As we have over the years since Act 2 was passed by the legislature in 2002, we will continue to partner and to collaborate with the DOE to foster educational excellence and innovation to improve student outcomes.

BACKGROUND ABOUT HO`OKĀKO`O CORPORATION

Ho'okako'o Corporation is a private, non-profit organization established in 2002.

Our mission is helping HC conversion chart schools reinvent themselves for the purpose of improving the academic achievement and personal growth of their students. Collaborating with communities, educators, and families, Ho'okako'o provides conversion charter schools with expertise and resources to improve student achievement.

To partner with HC, a school must undergo a comprehensive systems and organizational review process in all aspects of the school – financial resource management, human resources, leadership and governance communications and marketing, organizational systems and operations, student support services, curriculum/instruction and assessment, and student learning and achievement. Using the comprehensive review findings, the school must develop a school strategic plan and a dashboard to benchmark and measure success. The school is expected to implement its' strategic plan and review progress over 3- 5 years. All budget decisions should be based on the strategic plan priorities and dashboard. HC requires that

each school conducts an annual financial audit. HC has contracted Nishihama and Kishida to conduct annual audits.

After five years of implementing Act 2 and national and local research conducted, HC believes that certain necessary conditions must be met for a conversion charter school to be successful. The necessary conditions for HC schools are:

- Effective school leadership
- Capable teachers with high expectations and the skills to work together in focused learning communities
- Curriculum that is aligned, articulated, and integrated
- Parents and the greater community with a sense of ownership in the school and willingness to be part of the change process
- Personalized schools
- More time on instructional and co-curricular activities
- Data and results driven
- Supportive and effective policies and regulations

The creation of conversion charter schools was made possible in 2002 when the Hawaii legislature passed Act 2. The Act expanded education choices through charter conversion schools in Hawaii and allows eligible non-profit organizations to manage and operate conversion schools and to provide a \$1 match for every \$4 state dollars. The matching funds are intended to enrich and not to supplant state funding of public schools.

Conversion charter schools are not under the DOE jurisdiction. However, conversion charter schools continue in their role as the public feeder school for the geographical community in which the school is located just like DOE schools. The conversion schools must accept all students within the public school service area. The school has an obligation to guarantee services that are at minimum comparable to their DOE counterparts.

HC was established with a partnership between HC's volunteer board of directors and Kamehameha Schools. The non-profit HC volunteer board serves as the school board for the conversion charter school. HC provides and/or brokers technical support in organizational change, instructional expertise, organizational systems and supports, policy and interface with major stakeholders. As an HC partner, KS has contributed technical support and funding. HC and the partner conversion charter schools leverage resources and support from many additional partners, including philanthropic foundations and trusts, government, unions, business and family/community volunteers in order to benefit the conversion charter school as the school implements its plans..

As an education change agent, HC seeks partnerships with public school communities committed to implementing the following necessary conditions for conversion school success:

For example, one of the major initiatives that HC will focus on in the next two to three years is on planning for and implementing extended learning time (ELT)/extended school day at each of its partner schools. To accomplish ELT, each of the schools will be undergoing comprehensive school redesign when implementing the necessary conditions for success.

Three Current HC Conversion Charter Schools

The three HC conversion charter schools are all in communities with significant socio-economic need. On October 15, 2008, the official student enrollment count date for charter schools, the three schools enrollment totaled 1444 students or almost 19% of the charter school enrollment.

- Waimea Middle School, a 6 - 8 grade conversion charter school in Waimea on Hawai'i Island, 357 students
- Kualapu'u Elementary School, a K-6 conversion charter school on Molokai, 375 students
- Kamaile Academy, a K-8 conversion charter school in Waianae on Oahu, 712 students

Examples of School Outcomes/Results

Overall each school has shown a trend of steady growth. Initial measures of success include:

School Year 2006-07

A growth in reading and math scores (at Kualapu'u); increased student attendance at Kualapu'u and Waimea; a decrease in the special education population due to improved identification, remediation, and curriculum (at Kualapu'u); new programs offered (at Kualapu'u and Waimea); greatly increased family involvement (Waimea); Waimea and Kualapu'u.

School Year 2007-08

Kualapu'u met federal NCLB AYP targets for two consecutive years and was awarded school in good standing status.

HC and School Concerns

HC appreciates the legislative support and responsiveness over the years. HC requests that the legislature support and implement the legislatively mandated charter school funding formula as intended. During the 2008 legislative session, the charter schools received big cuts in the per pupil allocation from \$8150 per pupil for SY 2007-2008 to \$7588 per pupil for SY 2008-2009. We acknowledge that the state is faced with economic downturn; however, the charter school per pupil allocation has already been cut and should not be reduced any further.

In SY 2009-2010, HC anticipates that Waimea Middle's enrollment will be reduced by about 80 students due to the expansion of Waikoloa Elementary to a K-8 school. The Waimea school community is pleased that the students of Waikoloa now have a community school and do not have to commute to Waimea; however as a result of the K-8 expansion, Waimea Middle's student enrollment has been reduced from about 530 students in the first year of conversion to about 280 students in SY 09-010. The reduction in student enrollment forces WMS to reduce its budget and make dramatic cuts in faculty, staff and programs for students.

Kamaile Academy's enrollment fluctuates dramatically during a school year because of the large number of houseless and homeless families and therefore it is very difficult to project the student enrollment. In addition to big fluctuations in enrollment, two of the five state's new homeless shelters and housing are located within the school's boundaries. HC is very concerned that the children that Kamaile serves need many more student support services – health and social services than the school is able to provide.

Further cuts erode KUU's ability to deliver services to the students it serves in very challenging economic times for the Molokai community. KUU employs 70 full and part time employees. The cuts may send a message to the school community and students that the hard work, commitment, performance and the positive results achieved by becoming an NCLB AYP in good standing do not matter.

Thank you for the opportunity to provide information about HC and HC schools and to testify on this legislation.



KAMEHAMEHA SCHOOLS

Testimony to the Senate Committee on Education and Housing
Hearing Date: February 11, 2009
2:30 p.m. – Conference Room 225

***Kalei Kailihiwa, Director, Ho'olako Like
Kamehameha Schools***

Re: SB 143 RELATING TO EDUCATION

Good afternoon Chair Sakamoto, Vice Chair Kidani and members of the Senate Committee on Education and Housing. My name is Kalei Kailihiwa, Director of Ho'olako Like of Kamehameha Schools. Thank you for this opportunity to testify **in opposition to SB 143**. We believe that this bill's requirement to comply with all directives and policies of the Department of Education is unnecessary and may tend to undermine the flexibility needed in delivering effective public charter school education.

Kamehameha Schools has been a collaborator in the charter school movement for more than six years now. As part of our Education Strategic plan, KS hopes to significantly impact more Hawaiian children ages 0-8 and grades 4-16+, and their families/ caregivers over the next five years, in collaboration with others whenever possible.

Currently, Kamehameha Schools works with 12 nonprofit tax-exempt organizations, including `Aha Pūnana Leo, OHA, KALO and Ho`okāko`o Corporation, to assist a total of 14 start-up and 3 conversion charters with special projects, professional development, and technical assistance. Kamehameha Schools believes that these efforts provide more positive educational choices and ultimately enhances academic achievement and greater school engagement for Hawaiian students. Through these collaborations, Kamehameha Schools currently assists more than 3,200 students in eleven communities on 4 major islands, within the public education system.

Recent research conducted over the past three years shows that Hawaiian-focused charter schools are implementing positive educational strategies and make a difference to Hawai'i's public school landscape in the following ways:

- They demonstrate success in helping "at-risk" students jump-start academic momentum using rigorous place-based and project-based strategies;
- The schools provide relevant and rigorous education in ways that engage both Hawaiian and non-Hawaiian students;
- They cultivate values of environmental stewardship and civic responsibility among future leaders;
- They build a strong sense of 'ohana through caring and supportive student/teacher relationships;
- They enhance the well-being, family involvement, and economic sustainability of communities.

In summary, supporting and replicating the successful strategies found in Hawaiian-focused charter schools is a good way to invest in education that has potential benefits for the entire public school system.

From: [Director](#)
To: [EDH Testimony](#)
Subject: SB143 Testimony in Strong Opposition
Date: Tuesday, February 10, 2009 1:43:02 PM

Honorable Norman Sakamoto, Chair
Senate Committee on Education and Housing

Testimony of the Hawai'i Charter Schools Network
The Unified Voice of Hawai'i's 31 Public Charter Schools
Curtis Muraoka
808-987-2522

For Senate Hearing on Wednesday, February 11, 2009

Testimony in **Strong Opposition**

Aloha Chair Sakamoto, Vice Chair Kidani and Members of the Committee:

The Hawai'i Charter School Network has very strong reservations about the following language in this bill:

“(12) Complies with board policies; and

(13) Complies with department directives.”

The rationale for this language is currently unclear to us, as public charter schools already have a firm grasp of our responsibilities to the board and department in their capacity as the state educational agency, which is their federal designation.

We believe that the meaning of this clause is both redundant and unclear. Similar language in HB11 was also a concern for us, and the House EDN committee recently agreed to remove it.

Finally, the board has not indicated the basis for their need to have this codified in legislation. We have approached the board in November and January, but have not had an opportunity materialize for productive discussion despite our attempts.

For these reasons, we request this language be stricken from SB143.

Respectfully submitted,

Curtis Muraoka, Secretary
On behalf of
Alapaki Nahale-A, President
Susan Osborne, Vice President
Steve Hiramami, Treasurer
Hawai'i Charter Schools Network
The Unified Voice of Hawai'i's 31 Public Charter Schools

Testimony to the Senate Committee on Education and Housing

SB 143

DATE: Wednesday, February 11, 2009

TIME: 2:30 pm

PLACE: Conference Room 225

Testimony in **Opposition to SB 143**

Submitted by David Rizor, Volcano School of Arts and Sciences

Good afternoon Chair Sakamoto, Vice Chair Kidani and members of the Committee on Education and Housing.

Thank you for this opportunity to testify in opposition to SB 143. I strongly object to portions of SB 143 that serve to erode the very fabric of the charter school law. Specifically, the addition of numbers 12 and 13 in section three which restates the powers of the Board of Education and potentially their direct control over charter school operation and drastically expands the powers of the Department of Education.

Item (12) in section three (Complies with Board policies) is unnecessary in that charter schools are already required to comply with **applicable** board policies. There is no reason to restate or expand through inclusion in the bill.

Item (13) (Complies with Department directives) is particularly objectionable. Again, since the Department of Education serves in the capacity of both State Education Agency (SEA) and Local Education Agency (LEA) in regard to federal money and compliance, charter schools are already required to comply with all **applicable** directives. However, the very core of the charter school law is local decision making and accountability. This change would fundamentally alter and undermine the essence of the law.

I strongly oppose SB 143.

Sincerely,

David Rizor, PhD
Education Director
Volcano School of Arts and Sciences

To: The Honorable Norman Sakamoto, Chair
Members of the Senate Committee on Education and Housing

From: Lydia Trinidad, Principal
Kualapu`u School

Date: February 11, 2009
Time: 2:30 pm
Place: Room 225
State Capitol

Subject Senate Bill (SB) 143

As a conversion charter school, KUU is very proud of moving out of restructuring/reconstitution NCLB status to a school in good standing without having to be taken over by costly consultants such as America's Choice, Pulliam or others. Kualapu`u School **does not support** SB 143 Section 302B-1 (13) that requires charter schools to comply with DOE directives.

Conversion charter schools are not under the DOE jurisdiction. Conversion charter schools operate outside the DOE with their own Local School Boards. The Charter School Review Panel (CSRP) established by the legislature has the role, responsibility and authority as stated in Section in 302B-14 to work with charter schools.

Conversion charter schools are the public feeder school for the geographical community in which the school is located. The conversion schools must accept all students within the public school service area like their DOE counterparts. When appropriate, we do partner and collaborate with the DOE.

BACKGROUND

Kualapu`u School (KUU), the largest elementary school on Molokai, became a conversion charter school in 2004 under Act 2 passed by the 2002 Hawaii state legislature. 375 students are enrolled at KUU in the current SY 2008-2009. Act 2 expanded education choices through charter conversion schools in Hawaii and allows eligible non-profit organizations to manage and operate conversion schools.

KUU became a conversion charter school with the Ho'okako'o Corporation (HC) a Hawaii based nonprofit corporation implementing Act 2. HC was established with a partnership between HC's volunteer board of directors and Kamehameha Schools. The non-profit HC volunteer board serves as the local school board for the conversion charter school. The non-profit provides a \$1 match for every \$4 state dollars with funding from Kamehameha Schools. The HC matching dollars are not intended to supplant state funding for public schools.

KUU Outcomes/Results

KUU is very proud of its accomplishments. The school community (administration, parents, teachers, faculty, staff, students and community) has worked very hard to improve student outcomes. KUU has shown a trend of steady growth. KUU achieved AYP 2 of the 4 years since becoming a conversion charter school and moved from NCLB restructuring status to good Standing. Initial measures of success to improve the outcomes of its 375 students include:

School Year 2006-07

- Growth in reading and math scores
- Increased student attendance
- Decrease in the special education population due to improved identification, remediation, and curriculum
- Offered new programs
- Made NCLB AYP

School Year 2007-08

- Kualapu'u met federal NCLB AYP targets for two consecutive years and was awarded school in good standing status.

Thank you for the opportunity to provide information about HC and KUU and to testify on this legislation.



Ke Kula 'o Samuel M. Kamakau

Laboratory Public Charter School

45-037 Kāne'ōhe Bay Dr., Kāne'ōhe Hawai'i 96744 * Phone: 808.235.9175 Fax: 808.235.9173 * www.kamakau.com

Testimony to the Senate Committee on Education and Housing

Hearing Date/Time: **February 11, 2:30 p.m.**

Conference Room **225**

Bill No: **SB 143**

To: Chair Sakamoto, Vice Chair Kidani and members of the Committee on Education and Housing. EDHTestimony@Capitol.hawaii.gov

RE: OPPOSITION TO SB 143

Aloha Mai Kākou,

My name is Wai'ale'ale Sarsona, the director of Ke Kula 'o Samuel M. Kamakau, LPCS. We are located in Kāne'ōhe and serve 104 students grades K through 12. Kamakau is the only Hawaiian Language Immersion public charter school on O'ahu. I am also a proud parent of a charter school student.

I am in **opposition of SB 143** because it would require schools like ours to comply with all Department of Education Directives.

Einstein's definition of Insanity is doing the same thing over and over again and expecting different results. How can different results happen under a system that has operated in the same manner for decades?

I believe that in good faith, our senators and representatives created Public Charter Schools in order to find innovation that would lead to better student achievement for all public schools. Placing our public charter schools under the control of an unchanged system would be insanity.

I believe that every charter school deserves the opportunity to be successful. I appreciate this opportunity to submit comments on SB 143.

Mahalo,

A handwritten signature in black ink, appearing to read 'Marci Wai'ale'ale Sarsona'.

Marci Wai'ale'ale Sarsona, MBA

Director

E mālama 'ia ana ka mauili ola o kākou mai kēlā hanauna a i kēia hanauna.

Our spirit of being is nurtured from generation to generation.



Ke Kula ' o Samuel M. Kamakau

Laboratory Public Charter School

45-037 Kāne' ohe Bay Dr., Kāne' ohe Hawai'i 96744 * Phone: 808.235.9175 Fax: 808.235.9173 * www.kamakau.com

Testimony to the Senate Committee on Education and Housing

Hearing Date/Time: **February 11, 2:30 p.m.**
Conference Room **225**
Bill No: **SB 143**

To: Chair Sakamoto, Vice Chair Kidani and members of the Committee on Education and Housing. EDHTestimony@Capitol.hawaii.gov

RE: **OPPOSITION TO SB 143**

Aloha Kākou,

My name is Kameha'ililani Waiiau of Ke Kula 'o Samuel M. Kamakau, LPCS. Our little school is located in Keana, Kāne' ohe and serves 104 students from Papa Mālaa' o (kindergarten) through Papa 12. We hold a unique position as the only Hawaiian Language Immersion public charter school on O'ahu Island.

I am in opposition of SB 143 because it would require schools like ours to comply with all the Department of Education Directives. This would cause many disruptions and leave public charter schools at the mercy of a system that does not understand what we are about or who we are.

'Ike i ke au nui a me ke au iki. (To know the big currents and the little currents.) Said of one who is well versed. 'Ōlelo No'eau # 1209 This, in a nut shell, is the *kuleana* you are tasked with, to know what will be *pono* for the big fish as well as the little fish. We, here at Kamakau, strive to educate, nurture, and inspire our students on a daily basis as they are both seekers and producers of knowledge.

It is in good faith and with open minds that our senators and representatives created Public Charter Schools in hopes that innovation would lead to high student achievement for all public schools. Placing our public charter schools under the control of an institution that is overburdened and impersonal would be tantamount to snuffing out our *mauli ola* or life force. For it is this *mauli ola* that feeds our spirit and nurtures our desire to explore, learn, and seek out the answers. It is this life force that makes us distinct.

Aristotle said, "We are what we repeatedly do. Excellence, then, is not an act but a habit." I beseech you to allow us the opportunity to continue our great work without outside interference but with your continued support and understanding of what we are about and who we are. Every charter school deserves the opportunity to be successful.

Mahalo for this opportunity to share my comments on SB 143.
Me ka ha'aha'a,

Kameha'ililani Waiiau, M.Ed.

Kumu Alaka'i 7-12, Lead Secondary Teacher

E mālama 'ia ana ka maui ola o kākou mai kēlā hanauna a i kēia hanauna.

Our spirit of being is nurtured from generation to generation.

From: kuaheaae@kamakau.com
To: [EDH Testimony](#)
Date: Monday, February 09, 2009 2:45:21 PM

Hearing Date/Time: February 11, 2:30 pm

Conference Room: 225

Bill No: SB 143

Aloha Kakou,

My name is Kuaheaae Green and I work at Ke Kula 'o Samuel M. Kamakau, LPCS. I am in **opposition** of SB 143 because it would require Charter Schools to comply with all Department of Education Directives. Charter Schools look to educate those who may not fit a generic mold. Innovative efforts should not be stymied to fulfill the status quo. Mahalo for the opportunity to weigh in on this issue. Kuaheaae Green

Telephone - (808) 235-9174

Email - kuaheaae@kamakau.com

Memorandum

To: Senator Norman Sakamoto, Chair
Members of the Education and Housing Committee Members

From: Barbara Kalipi
Kualapu'u Charter School
Local Advisory Panel Chair

Date: February 11, 2009

Time: 2:30 pm

Location: State Capitol Room 225

Re: Senate Bill No. 143

Since becoming a conversion public charter school four and a half years ago, Kualapu'u School has made great strides in making changes that resulted in greater educational opportunities and successes for our children. Just this year, we received the great news that the school achieved AYP standards for the second consecutive year and is no longer under sanction. The students, the school staff, the parents, and the community all had their part in intentionally creating a learning environment conducive and responsive to our children's needs.

Keeping this in mind, I am opposed to this bill because it is counterproductive to the conversion charter school legislative intent. To require compliance with the Department of Education directives as part of the definition for a charter school's "organizational viability" burdens charter schools with another layer of oversight. It is unnecessary and unfair. We have our own local school boards to work with us and guide us with policies and directives, and the Charter School Review Panel keeps us accountable to the department and the board.

Mahalo for the opportunity to share my mana'o on this bill.

From: [Robert Kealoha Domingo](#)
To: [EDH Testimony](#)
Subject: Testimony in OPPOSITION of SB 143
Date: Tuesday, February 10, 2009 1:07:19 AM

Aloha legislators,

O wau o Robert Kealohapumehana Domingo, O'ahu ka mokupuni, Ko'olauloa ka moku, Ka'a'awa ke 'ahupua'a. I am a proud parent of a bright young charter school student, a husband of a dedicated charter school teacher and also a board member of Ke Kula o Samuel M. Kamakau, hawaiian immersion charter school located in Kane'ohe on the island of O'ahu. I have been involved with charter schools for nearly 10 years and feel that it is a great choice for educating my child.

I am writing to inform you that I **STRONGLY OPPOSE SB 143** and encourage all legislators to terminate this bill, which mandates that all charter schools in the State of Hawai'i follow DOE state directives. The beauty of charter schools is that they are currently allowed to think outside of the box, and they have the ability to deviate from "traditional" educating techniques to educate our keiki using more effective, up to date and constantly evolving and improving curriculum.

There is a well know 'olelo no'eau or wise saying:

"A'ole pau ka 'ike i ka halau ho'okahi"

"Not all knowledge comes from one school"

In summary, I would once again like to make my opinion known, I STRONGLY OPPOSE SB143. Mahalo for making a consciencious and broad-minded decision to terminate this bill and any other that may restrict the valuable lessons taught by charter schools.

Mahalo piha,

Robert Kealohapumehana Domingo

From: claire_bear
To: [EDH Testimony](#)
Cc: waialeale@kamakau.com
Subject: Testimony
Date: Tuesday, February 10, 2009 1:37:53 AM

Date: Tuesday, February 10, 2009, 12:45 AM

Aloha legislators,

'O O'ahu ka mokupuni, 'o Ko'olauloa ka moku, 'o Ka'a'awa ke ahupua'a. 'O wau 'o Claire Ann Kalaunuola Domingo.

I am a proud parent of a bright young charter school student, and a humble Hawaiian immersion laboratory charter

> school teacher at Ke Kula 'o Samuel M. Kamakau LPCS. We are located in Ke Ana, Kane'ohe, O'ahu.

10 out of my 11 years of teaching has been at this charter school. "Ma ka hana ka 'ike." In doing one learns. Through hands on learning, such as in the lo'i (taro patches), and the loko i'a (fishponds), we are able to connect our students learning experiences back into the classroom instead of just talking about them. Our students while in Kindergarten & First grade wrote an illustrated a fictional story based on their experiences of become stewards of the land & sea. They became recently published authors because of these learning experiences. They took the knowledge of their kupuna (ancestors) and their own experiences and created a story for other keiki to learn about the value of sharing and the importance of sense of place.

I **STRONGLY OPPOSE SB 143** and encourage all legislators to terminate this bill, which mandates that all charter schools in the State of

> Hawai'i follow DOE state directives. We have been blessed to be able to educate our keiki outside of the box, stretch their minds, bodies and souls. Our charter school status helps them reconnect to their kupuna & culture and gives them a solid sense of self and sense of place. They know who they are, where they come from, and how they are going to take care of this land.

In summary, I would once again like to make my opinion known, I STRONGLY OPPOSE SB143. Mahalo nui loa for making a consciencious and broad-minded decision to terminate this bill and any other that may restrict the valuable lessons taught by charter schools.

'O wau me ka ha'aha'a,

Claire Ann Kalaunuola Domingo



KALO

Kanu o ka 'Āina Learning 'Ohana
Natives of the Land from Generations Back

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Kū Kahakalau
Ph.D.

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Testimony to the Senate Committee on Education and Housing

Hearing Date/Time: **February 11, 2:30 p.m.**
Conference Room **225**
Bill No: **SB 143**

Taffi Wise
Kanu o ka Aina NCPCS

Testimony in **strong Opposition of SB 143 “Relating to Education”**
Thank you for this opportunity to testify in opposition to SB 143.

We strongly disagree with the request to have charter schools comply with board and department of education policies and directives. That request would completely undermine the purpose of charter schools to provide a positive choice in education.

Sincerely,

Taffi Wise
Executive Director

P.O. Box 6511
Kamuela, Hawai'i
96743

Phone: 808-887-
1117
Fax: 808-
887-8888

Kanu o ka 'Āina Learning 'Ohana grows womb-to-tomb models of education that advance Hawaiian culture for a sustainable Hawai'i.

February 11, 2009

To: Senate Committee on Education and Housing

RE: Opposition to SB 143

Aloha Chair Sakamoto, Vice Chair Kidani and members of the Committee on Education and Housing. My name is Dr. Kü Kahakalau and I am the founder and director of Kanu o ka 'Aina New Century Public Charter School, Hawai'i's first culturally-driven charter, celebrating its 9th year of ongoing growth and progress. I have also been the representative of Nā Lei Na'auao – Native Hawaiian Charter School Alliance on the Charter School Review Panel since its creation.

Thank you for this opportunity to testify **in opposition to SB 143.**

Since the creation of the Charter School Review Panel (CSRP), we have worked hard to catch up on seven years of lack of charter school oversight and support by the BOE, our former charter school authorizer. In other words after seven years of not one (1) BOE policy, procedure or directive regarding charters, the CSRP is creating policies and directives designed to assist charters to reach their highest level. SB 143 would take away this prerogative of the CSRP and the charters to do what is best for its students by requiring charter schools to comply with board and department of education policies and directives, which are aimed at very different realities than those faced by charters. Moreover SB 143 authorizes the board of education to remove for cause a member of the charter school review panel. With all due respect, to date the CSRP has acted with the highest level of integrity at all times and I assure you that we would remove any member for cause if necessary. You gave the BOE 6 years to do something. Please give the charters and the CSRP the same chance, especially since we have achieved so much in the very short time since the CSRP has become Hawai'i's authorizer.

Mahalo nui for this opportunity to testify in opposition of SB 143. We sincerely appreciate your ongoing efforts to assure quality choices in education for all of Hawai'i's children. Hawai'i's Charter Schools are working. There is no need to fix, what is not broken.

Me ke aloha pumehana,



Kü Kahakalau, Ph.D.
Director, Kanu o ka 'Aina New Century Public Charter School

Testimony to the Senate Committee on Education and Housing

Hearing Date/Time: **February 11, 2:30 p.m.**
Conference Room **225**
Bill No: **SB 143**

To: Chair Sakamoto, Vice Chair Kidani and members of the Committee on Education and Housing.
EDHTestimony@Capitol.hawaii.gov

RE: **OPPOSITION TO SB 143**

Aloha mai kākou,

I come to you as a mother, as an educator, as a charter school supporter, as a concerned citizen, and as an advocate for what is *pono*. I am writing to you in opposition to SB 143 because of the fact that it requires charter schools to follow all of the Department of Education Directives.

I understand the reasoning behind the measure. However, it would defeat the purpose of charter schools and go against the basis on which they were created. My support for charter schools isn't because I'm saying that the regular DOE system doesn't work. What I'm saying is that my experience with Ke Kula 'o Samuel M. Kamakau has shown me that charter schools work best for my children and for my family as lifelong learners.

I am reminded of the *'ōlelo no'eau*, *'A'ohe pau ka 'ike ma ka hālau ho'okahi*. (All knowledge is not taught in the same school). Even generations and generations ago our *kūpuna* understood that there are different places where knowledge can be acquired or exchanged. Variety in choice of schools helps us to reach the different types of learners. There is no cookie-cutter fit that will work for all of our children.

My two children are the most precious things that I have. Likewise, all children are society's most valuable assets. We really need to make sure that we are investing the necessary time, energy, effort, and resources to recognize their different needs and thus ensure their success. The decisions we make now will affect their future and the future of our society.

Thank you for your time and consideration,

Reychele-Nicole K. M. Ayau



K A W A I K I N I

A New Century Public Charter School

Testimony to the Senate Committee on Education and Housing
Hearing Date: February 11, 2009
2:30 p.m. – Conference Room 225

*Mohala Aiu, Development & Community Liaison
Kawaikini New Century Charter School*

Re: SB 143 RELATING TO EDUCATION

Ano'ai Chair Sakamoto, Vice Chair Kidani and members of the Senate Committee on Education and Housing. My name is Mohala Aiu and I am the Development & Community Liaison for Kawaikini New Century Charter School. Mahalo for the opportunity to testify **in opposition** to SB 143. We believe that this bill's requirement to comply with all directives and policies of the Department of Education is unnecessary and will undermine the flexibility we need in to deliver effective and relevant public charter school education.

Kawaikini New Century Public Charter School is a K-12 Hawaiian medium school located in Puhi, Kaua'i. We currently serve 79 students from communities of Hanalei through Kekaha. We are one of the 14 Hawaiian-focused charter schools located on Hawai'i Island, O'ahu, and Kaua'i. We are also part of the Hawai'i Charter School Network which represents all 31 schools.

Charter schools have been a part of the educational landscape since 2001. Through years of innovation and research by the Kamehameha Schools we know we are making a difference in our children, environment, and family systems. Mahalo for this opportunity to testify.