

STAND. COM. REP. NO.

987

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 159  
H.D. 1  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 159, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish a funding formula for charter school facilities by which the Department of Education must allocate funds.

Your Committee received testimony in support of this measure from the Department of Education, Charter School Administrative Office, Office of Hawaiian Affairs, Hawaii Technology Academy, and one individual. Your Committee received comments on this measure from the Chair of the Charter School Review Panel, who testified in her individual capacity.

Your Committee finds that facilities funding for charter schools is a critically important issue; however there are other vehicles moving through the Legislature that more appropriately address this issue.

Therefore your Committee is using this measure as a vehicle to further address governance, accountability, and transparency issues that have come to light as a result of recent events.

Your Committee further finds that it is important to clarify the duties and responsibilities of the Charter School Review Panel

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and the local school boards to ensure all charter schools are using funds effectively and transparently while meeting their educational goals.

Accordingly, your Committee has amended this measure by deleting its contents and replacing them with further amendments to sections 302B-3, 302B-3.5, 302B-7, and 302B-8, Hawaii Revised Statutes, which, among other things:

- (1) Raises the percentage of the annual charter school General Fund allocation that the Charter School Administrative Office may withhold for operational expenses from two percent to five percent; provided that the Office submit an annual report to the Legislature detailing how these funds were used; and
- (2) Clarifies the duties and responsibilities of the Charter School Review Panel and local school boards.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 159, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 159, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Education,

  
\_\_\_\_\_  
JILL TORUDA, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Education**  
**EDU**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB159 HDI	EDU, WAM	3-23-11		
<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
TOKUDA, Jill N. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne	/			
NISHIHARA, Clarence K.	/			
TANIGUCHI, Brian T.		✓		
SLOM, Sam				✓
<b>TOTAL</b>	4	1	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
<i>Michelle N. Kidani</i>				
<b>Distribution:</b>				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes