

Honolulu, Hawaii

March 22, 2013

RE: S.B. No. 244
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Education, to which was referred S.B. No. 244, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to further refine Hawaii's nascent charter school law by, among other things:

- (1) Allowing charter schools to carry over an unspecified percentage of any appropriation, with certain exceptions;
- (2) Requiring charter schools to complete an annual independent financial audit;
- (3) Requiring the State Public Charter School Commission (Commission) to develop procedures to obtain any potential criminal history of individuals who are employed or seeking employment in positions that place them in close proximity to children;
- (4) Specifying additional enrollment criteria for students at public charter schools, including criteria for enrollment preferences;



- (5) Authorizing the Commission to request facilities funding for charter schools as part of its annual budget request;
- (6) Requiring Commission members to disclose specified conflicts of interest and to be disqualified from voting on or participating in discussions regarding charter schools with which they have a conflict of interest; and
- (7) Making various housekeeping amendments to the charter school law.

The Board of Education, State Public Charter School Commission, National Association of Charter School Authorizers, Hawaii Technology Academy, and three concerned individuals supported this measure. The Hawaii State Ethics Commission, Kamehameha Schools, Hawaii Public Charter Schools Network, and a concerned individual provided comments.

Your Committee has amended this measure by:

- (1) Deleting provisions permitting charter schools to carry over an unspecified percentage of any appropriation, with specified exceptions;
- (2) Deleting provisions referring to the use of criminal history record checks of persons employed continuously by a charter school prior to July 1, 1990, as no charter school was in existence prior to 1990;
- (3) Amending the definition of "employee" under Hawaii's Standards of Conduct Law, codified as Chapter 84, Hawaii Revised Statutes, to include any person under an employment contract to serve as chief executive officer, chief administrative officer, executive director, or designated head of a charter school;
- (4) Removing the section amending the compulsory attendance provision to include reference to public charter schools, as public charter schools are included in the definition of public schools;
- (5) Specifying that per-pupil funding distributed to public charter schools is considered expended; and



- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 S.B. No. 244, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 244, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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



ROY M. TAKUMI, Chair



