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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1           SECTION 1. Chapter 37, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4           "§37- Charter schools; carryover of funds. (a) Charter  
5 schools may carry over up to five per cent of any appropriation,  
6 except for appropriations to fund financing agreements entered  
7 into in accordance with chapter 37D, at the close of a fiscal  
8 year and the funds retained shall not lapse until June 30 of the  
9 first fiscal year of the next fiscal biennium. Each authorizer  
10 of a charter school shall submit:

11           (1) A report to the director of finance ninety days after  
12 the close of each fiscal year, which shall be prepared  
13 in the form prescribed by the director of finance and  
14 shall identify the total amount of funds that will  
15 carry over to the next fiscal year for each charter  
16 school under the authorizer's jurisdiction; and



1       (2) A copy of the report required by paragraph (1) to the  
2       legislature no later than twenty days prior to the  
3       convening of the next regular session.

4       (b) Appropriations allocated to the charter schools shall  
5       remain within the budget of the charter school to which they  
6       were originally appropriated; provided that the retention of an  
7       appropriation shall not be used as a basis for reducing a  
8       charter school's future budget requirements."

9       SECTION 2. Chapter 302D, Hawaii Revised Statutes, is  
10       amended by adding three new sections to be appropriately  
11       designated and to read as follows:

12       "§302D-A Annual audit. Charter schools shall annually  
13       complete an independent financial audit that complies with the  
14       requirements of its authorizer and the department.

15       §302D-B Criminal history record checks. (a) The  
16       commission shall develop procedures for obtaining verifiable  
17       information regarding the criminal history of persons who are  
18       employed or seeking employment in any position, including  
19       teacher trainees, that places them in close proximity to  
20       children. These procedures shall include criminal history  
21       record checks in accordance with section 846-2.7. Information  
22       obtained pursuant to this subsection shall be used exclusively



1 by the employer or prospective employer for the purpose of  
2 determining whether a person is suitable for working in close  
3 proximity to children. All such decisions shall be subject to  
4 applicable federal laws and regulations.

5 (b) The employer or prospective employer may:

6 (1) Refuse to allow or continue to allow teacher training;

7 (2) Terminate the employment of any employee; or

8 (3) Deny employment to an applicant,

9 if the person has committed a crime, and if the employer or  
10 prospective employer finds by reason of the nature and  
11 circumstances of the crime, that the person poses a risk to the  
12 health, safety, or well-being of children. Refusal or  
13 termination may occur only after appropriate investigation and  
14 notification to the employee or applicant of the results and  
15 planned action and after the employee or applicant is given an  
16 opportunity to meet and rebut the findings. Nothing in this  
17 subsection shall abrogate any applicable rights under chapter 76  
18 or 89, or any administrative rule of the commission.

19 (c) This section shall not be used by the commission or  
20 any public charter school to secure criminal history record  
21 checks of person who have been continuously employed by a  
22 charter school on a salaried basis prior to July 1, 1990.



1        (d) Notwithstanding any other law to the contrary, for  
2 purposes of this section, the commission shall be exempt from  
3 section 831-3.1 and shall not be required to conduct  
4 investigations, notifications, or hearings in accordance with  
5 chapter 91.

6        §302D-C Enrollment. (a) A public charter school shall  
7 not discriminate against any student or limit admission based on  
8 race, color, ethnicity, national origin, religion, gender,  
9 sexual orientation, income level, disability, level of  
10 proficiency in the English language, need for special education  
11 services, or academic or athletic ability.

12        (b) A start-up charter school:

13        (1) Shall be open to any student residing in the State;

14        (2) Shall enroll all students who submit an application,

15        unless the number of students who submit an

16        application exceeds the capacity of a program, class,

17        grade level, or building;

18        (3) Shall select students through a public lottery if, as

19        described in paragraph (2), capacity is insufficient

20        to enroll all students who have submitted a timely

21        application;



1       (4) May give an enrollment preference to students within a  
2       given age group or grade level and may be organized  
3       around a special emphasis, theme, or concept as stated  
4       in the charter school's application and as approved by  
5       the charter school's authorizer;

6       (5) May give an enrollment preference to students enrolled  
7       in the charter school during the previous school year  
8       and to siblings of students already enrolled at the  
9       charter school; and

10       (6) May give any other enrollment preference permitted by  
11       the charter school's authorizer, on an individual  
12       charter school basis, if consistent with law;

13       provided that nothing in this subsection shall preclude the  
14       formation of a start-up charter school whose mission is focused  
15       on serving students with disabilities, who are of the same  
16       gender, who pose such severe disciplinary problems that they  
17       warrant a specific educational program, or who are at a risk of  
18       academic failure.

19       (c) A conversion charter school shall:

20       (1) Enroll any student who resides within the school's  
21       former geographic service area pursuant to section  
22       302A-1143, for the grades that were in place when the



1           public school converted to a charter school; provided  
2           that the department may consult with a conversion  
3           charter school every three years to determine whether  
4           realignment of the charter school's service area is  
5           appropriate given population shifts and the  
6           department's overall service area reviews;  
7           (2) Follow the department's procedures regarding  
8           enrollment, including but not limited to geographic  
9           exceptions and enrollment preferences; and  
10          (3) Be subject to subsection (b) for grades that were not  
11          in place when the school converted to a public charter  
12          school."

13           SECTION 3. Section 302A-1132, Hawaii Revised Statutes, is  
14 amended by amending subsection (a) to read as follows:

15           "(a) Unless excluded from school or excepted from  
16 attendance, all children who will have arrived at the age of at  
17 least six years, and who will not have arrived at the age of  
18 eighteen years, by January 1 of any school year, shall attend  
19 either a public school, public charter school, or private school  
20 for, and during, the school year, and any parent, guardian, or  
21 other person having the responsibility for, or care of, a child  
22 whose attendance at school is obligatory shall send the child to



1 either a public or private school. Attendance at a public or  
2 private school shall not be compulsory in the following cases:

- 3 (1) Where the child is physically or mentally unable to  
4 attend school (deafness and blindness excepted), of  
5 which fact the certificate of a duly licensed  
6 physician shall be sufficient evidence;
- 7 (2) Where the child, who has reached the fifteenth  
8 anniversary of birth, is suitably employed and has  
9 been excused from school attendance by the  
10 superintendent or the superintendent's authorized  
11 representative, or by a family court judge;
- 12 (3) Where, upon investigation by the family court, it has  
13 been shown that for any other reason the child may  
14 properly remain away from school;
- 15 (4) Where the child has graduated from high school;
- 16 (5) Where the child is enrolled in an appropriate  
17 alternative educational program as approved by the  
18 superintendent or the superintendent's authorized  
19 representative in accordance with the plans and  
20 policies of the department, or notification of intent  
21 to home school has been submitted to the principal of  
22 the public school that the child would otherwise be



1 required to attend in accordance with department rules  
2 adopted to achieve this result; or

3 (6) Where:

4 (A) The child has attained the age of sixteen years;

5 (B) The principal has determined that:

6 (i) The child has engaged in behavior which is  
7 disruptive to other students, teachers, or  
8 staff; or

9 (ii) The child's non-attendance is chronic and  
10 has become a significant factor that hinders  
11 the child's learning; and

12 (C) The principal of the child's school, and the  
13 child's teacher or counselor, in consultation  
14 with the child and the child's parent, guardian,  
15 or other adult having legal responsibility for or  
16 care of the child, develops an alternative  
17 educational plan for the child. The alternative  
18 educational plan shall include a process that  
19 shall permit the child to resume school.

20 The principal of the child's school shall file the  
21 plan made pursuant to subparagraph (C) with the  
22 child's school record. If the adult having legal





1            responsibility for or care of the child disagrees with  
 2            the plan, then the adult shall be responsible for  
 3            obtaining appropriate educational services for the  
 4            child."

5            SECTION 4. Section 302D-1, Hawaii Revised Statutes, is  
 6 amended as follows:

7            1. By amending the definitions of "authorizer" and  
 8 "charter school" or "public charter school" and "organizational  
 9 viability" to read:

10            "Authorizer" means an entity established under this  
 11 chapter with chartering authority to review charter  
 12 applications, decide whether to approve or [~~reject~~] deny charter  
 13 applications, enter into charter contracts with applicants,  
 14 oversee public charter schools, and decide whether to authorize,  
 15 [~~reauthorize,~~] renew, deny renewal of, or [~~reject~~] revoke  
 16 charter contracts. The term may include the commission when  
 17 appropriate.

18            "Charter school" or "public charter school" refers to those  
 19 public schools and their respective governing boards, as defined  
 20 in this section, that are holding [~~charters~~] charter contracts  
 21 to operate as charter schools under this chapter, including  
 22 start-up and conversion charter schools, and that have the



1 flexibility and independent authority to implement alternative  
2 frameworks with regard to curriculum, facilities management,  
3 instructional approach, virtual education, length of the school  
4 day, week, or year, and personnel management.

5 "Organizational viability" means that a charter school:

- 6 (1) Has been duly constituted and operates in accordance  
7 with its charter;
- 8 (2) Has a governing board established in accordance with  
9 law and the charter school's charter;
- 10 (3) Employs sufficient faculty and staff to provide the  
11 necessary educational program and support services to  
12 operate the facility in accordance with its charter;
- 13 (4) Maintains accurate and comprehensive records regarding  
14 students and employees as determined by its  
15 authorizer;
- 16 (5) Meets appropriate standards of student achievement as  
17 defined by the board pursuant to its duties under  
18 article X, section 3, of the constitution of the State  
19 of Hawaii;
- 20 (6) Cooperates with board and authorizer requirements in  
21 conducting its functions;



- 1 (7) Complies with applicable federal, state, and county
- 2 laws and requirements;
- 3 (8) In accordance with authorizer guidelines and
- 4 procedures, is financially sound and fiscally
- 5 responsible in its use of public funds, maintains
- 6 accurate and comprehensive financial records, operates
- 7 in accordance with generally accepted accounting
- 8 practices, and maintains a sound financial plan;
- 9 (9) Operates within the scope of its charter contract and
- 10 fulfills obligations and commitments of its charter;
- 11 (10) Complies with all health and safety laws and
- 12 requirements;
- 13 (11) Complies with all authorizer directives, policies, and
- 14 procedures; and
- 15 (12) Complies with all board policies deemed applicable to
- 16 charter schools by the board."

17 2. By deleting the definition of "executive director".

18 [~~"Executive director" means the executive director of the~~

19 ~~state public charter school commission."~~]

20 SECTION 5. Section 302D-3, Hawaii Revised Statutes, is

21 amended to read as follows:



1           " ~~[+]~~ §302D-3 ~~[+]~~ State public charter school commission;  
2 establishment; appointment. (a) There is established the state  
3 public charter school commission with statewide chartering  
4 jurisdiction and authority. The commission shall be placed  
5 within the department for administrative purposes only.  
6 Notwithstanding section 302D-25 and any law to the contrary, the  
7 commission shall be subject to chapter 92.  
8           (b) The mission of the commission shall be to authorize  
9 high-quality public charter schools throughout the State.  
10           (c) The commission shall consist of nine members to be  
11 appointed by the board. The board shall appoint members who  
12 will be tasked with authorizing public charter schools that  
13 serve the unique and diverse needs of public school students.  
14 The chair of the commission shall be designated by the members  
15 of the commission for each school year beginning July 1, and  
16 whenever there is a vacancy. The board shall consider the  
17 combination of abilities, breadth of experiences, and  
18 characteristics of the commission, including but not limited to  
19 reflecting the diversity of the student population, geographical  
20 representation, and a broad representation of education-related  
21 stakeholders.



1           (d) Understanding that the role of the commission is to  
2 ensure a long-term strategic vision for Hawaii's public charter  
3 schools, each nominee to the commission shall meet the following  
4 minimum qualifications:

5           (1) Commitment to education. Each nominee's record should  
6 demonstrate a deep and abiding interest in education,  
7 and a dedication to the social, academic, and  
8 character development of young people through the  
9 administration of a high performing charter school  
10 system;

11           (2) Record of integrity, civic virtue, and high ethical  
12 standards. Each nominee shall demonstrate integrity,  
13 civic virtue, and high ethical standards and be  
14 willing to hold fellow commission members to the same;

15           (3) Availability for constructive engagement. Each  
16 nominee shall commit to being a conscientious and  
17 attentive commission member; and

18           (4) Knowledge of best practices. Each nominee shall have  
19 an understanding of best practices in charter school  
20 educational governance or shall be willing to be  
21 trained in such.



1           (e) Each nominee to the commission shall ideally meet the  
2 following recommended qualifications:

3           (1) Experience governing complex organizations. Each  
4 nominee should possess experience with complex  
5 organizations, including but not limited to  
6 performance contract management, and a proven ability  
7 to function productively within them; and

8           (2) Collaborative leadership ability. Each nominee should  
9 have substantial leadership experience that ideally  
10 illustrates the nominee's ability to function among  
11 diverse colleagues as an effective team member, with  
12 the ability to articulate, understand, and help shape  
13 consensus surrounding commission policies.

14           (f) Five members of the commission shall constitute a  
15 quorum to conduct business and a concurrence of at least five  
16 members shall be necessary to make any action of the commission  
17 valid.

18           (g) Commission members shall serve not more than three  
19 consecutive three-year terms, with each term beginning on  
20 July 1; provided that the initial terms that commence after  
21 June 30, 2012, shall be staggered as follows:



1 (1) Three members, including the chairperson, to serve  
2 three-year terms;

3 (2) Three members to serve two-year terms; and

4 (3) Three members to serve one-year terms.

5 (h) Notwithstanding the terms of the members, the board  
6 may fill vacancies in the commission at any time when a vacancy  
7 occurs due to resignation, non-participation, the request of a  
8 majority of the commission members, or termination by the board  
9 for cause.

10 (i) Commission members shall receive no compensation.  
11 When commission duties require that a commission member take  
12 leave of the member's duties as a state employee, the  
13 appropriate state department shall allow the commission member  
14 to be placed on administrative leave with pay and shall provide  
15 substitutes, when necessary, to fulfill that member's  
16 departmental duties. Members shall be reimbursed for necessary  
17 travel expenses incurred in the conduct of official commission  
18 business.

19 ~~(j) [The commission shall establish operating procedures~~  
20 ~~that shall include conflict of interest procedures for any~~  
21 ~~member whose school of employment or governing board is before~~  
22 ~~the commission.]~~ Commission members shall disclose to the



1 commission a list of all charter schools in which the member is  
2 an employee, governing board member, vendor, contractor, agent,  
3 or representative. Any member having such interest in any  
4 matter before the commission shall be disqualified from voting  
5 on or participating in the discussion of the matter.

6 (k) The commission shall operate with dedicated resources  
7 and staff qualified to execute the day-to-day responsibilities  
8 of the commission pursuant to this chapter.

9 (l) The commission shall have the power to hire staff  
10 without regard to chapters 76 and 89."

11 SECTION 6. Section 302D-6, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 "[+]§302D-6[+] Principles and standards for charter  
14 authorizing. All authorizers shall be required to [~~develop and~~  
15 ~~maintain chartering policies and practices consistent with~~  
16 follow nationally recognized principles and standards for  
17 quality charter authorizing in all major areas of authorizing  
18 responsibility including:

- 19 (1) Organizational capacity and infrastructure;  
20 (2) Soliciting and evaluating charter applications;  
21 (3) Performance contracting;





- 1 (4) Ongoing public charter school oversight and
- 2 evaluation; and
- 3 (5) Charter and charter contract renewal decision-making.

4 Authorizers shall carry out all their duties under this  
5 chapter in a manner consistent with nationally recognized  
6 principles and standards and with the spirit and intent of this  
7 chapter. Evidence of material or persistent failure to do so  
8 shall constitute grounds for losing charter authorizing powers."

9 SECTION 7. Section 302D-12, Hawaii Revised Statutes, is  
10 amended as follows:

11 1. By amending subsection (a) to read:

12 "(a) No more than ~~[thirty per cent]~~ one-third of the  
13 voting members of a governing board shall be employees of a  
14 school or relatives of employees of a school under the  
15 jurisdiction of that governing ~~[board, provided that the chief~~  
16 ~~executive officer, chief administrative officer, executive~~  
17 ~~director, or otherwise designated head of a charter school may~~  
18 ~~serve as an ex-officio, non-voting member of the governing]~~  
19 board. In selecting members, consideration shall be given to  
20 persons who:

- 21 (1) Provide the governing board with a diversity of
- 22 perspective and a level of objectivity that accurately



1 represent the interests of the charter school students  
2 and the surrounding community;

3 (2) Demonstrate an understanding of best practices of non-  
4 profit governance; and

5 (3) Possess strong financial and academic management and  
6 oversight abilities, as well as human resource and  
7 fundraising experience."

8 2. By amending subsection (d) to read:

9 "(d) Governing boards and charter schools shall be exempt  
10 from chapter 103D, but shall develop internal policies and  
11 procedures for the procurement of goods, services, and  
12 construction, consistent with the goals of public accountability  
13 and public procurement practices. Governing boards and charter  
14 schools are encouraged to use the provisions of chapter 103D  
15 wherever possible; provided that the use of one or more  
16 provisions of chapter 103D shall not constitute a waiver of the  
17 exemption from chapter 103D and shall not subject the charter  
18 school to any other provision of chapter 103D."

19 3. By amending subsection (h) to read:

20 "(h) For purposes of this section [~~,"employees" shall~~]:  
21 "Employees" shall include but not be limited to the chief  
22 executive officer, chief administrative officer, executive



1 director, or otherwise designated head of a charter school [-]  
2 and shall include any person under an employment contract to act  
3 as the chief executive officer, chief administrative officer,  
4 executive director, or designated head of a charter school.

5 "Relative" means a spouse, fiancé, fiancée, any relative  
6 within four degrees of consanguinity or the spouse, fiancé, or  
7 fiancée of such a relative."

8 SECTION 8. Section 302D-13, Hawaii Revised Statutes, is  
9 amended by amending subsections (c) and (d) to read as follows:

10 "(c) The start-up charter school charter application  
11 process and schedule shall be determined by the authorizer, and  
12 shall provide for and include, at a minimum, the following  
13 elements:

- 14 (1) The submission of a letter of intent to operate a  
15 start-up charter school;
- 16 (2) The [~~timely transmittal~~] availability of the charter  
17 application form and completion guidelines [~~to~~] on the  
18 [~~governing board,~~] authorizer's website;
- 19 (3) The timely submission of a completed charter  
20 application to the authorizer;
- 21 (4) The timely review of the charter application by the  
22 authorizer for completeness, and notification by the



- 1 authorizer to the governing board that the charter  
2 application is complete;
- 3 (5) Upon receipt of a completed charter application, the  
4 ~~[convening of the commission, if applicable, by the~~  
5 ~~commission chairperson to begin]~~ review and evaluation  
6 of the charter application[-] by qualified persons;
- 7 (6) Following the ~~[submission]~~ review and evaluation of a  
8 charter application, ~~[issuance of a charter or]~~  
9 approval or denial of the charter application by the  
10 authorizer ~~[or if submitted to the commission, by~~  
11 ~~majority vote]~~;
- 12 (7) A provision for a final date by which a decision of  
13 whether to approve or deny a charter application must  
14 be made[-] by the authorizer, upon receipt of a  
15 complete charter application; and
- 16 (8) A provision that no start-up charter school may begin  
17 operation before obtaining authorizer approval of its  
18 charter application and charter contract [-] and  
19 fulfilling pre-opening requirements that may be  
20 imposed by the authorizer.
- 21 (d) A charter application to become a start-up charter  
22 school shall meet the requirements of this subsection and



1 section 302D-25. The charter application shall, at a minimum,  
2 include the following:

3 (1) A description of employee rights and management issues  
4 and a framework for addressing those issues that  
5 protects the rights of employees;

6 (2) A plan for identifying, recruiting, and retaining  
7 highly qualified instructional faculty[+], as defined  
8 by the department;

9 (3) A plan for identifying, recruiting, and selecting  
10 students that is not exclusive, elitist, or  
11 segregationist[+], and complies with this chapter;

12 (4) The curriculum and instructional framework to be used  
13 to achieve student outcomes, including an assessment  
14 plan;

15 (5) A plan for the assessment of student, administrative  
16 support, and teaching personnel performance that:

17 (A) Recognizes the interests of the general public;

18 (B) Incorporates or exceeds the educational content  
19 and performance standards developed by the  
20 department for the public school system;

21 (C) Includes a system of faculty and staff  
22 accountability that holds faculty and staff



1           individually and collectively accountable for  
2           their performance, and that is at least  
3           equivalent to the average system of  
4           accountability in public schools throughout the  
5           State; and

6           (D) Provides for program audits and annual financial  
7           audits;

8           (6) A governance structure for the charter school that  
9           incorporates a conflict of interest policy and a plan  
10          for periodic training to carry out the duties of  
11          governing board members;

12          (7) A description of the constitution of the governing  
13          board, terms of governing board members, and the  
14          process by which governing board members were  
15          selected;

16          (8) A financial plan based on the most recent fiscal  
17          year's per-pupil charter school allocation that  
18          demonstrates the ability to meet the financial  
19          obligations of one-time, start-up costs and ongoing  
20          costs such as monthly payrolls, faculty recruitment,  
21          professional development, and facilities costs; and

22          (9) A facilities plan."



1 SECTION 9. Section 302D-14, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 " ~~[+] §302D-14 [ ]~~ Conversion charter schools; establishment.

4 (a) A conversion charter school may be established pursuant to  
5 this section.

6 (b) Any department school, school community council, group  
7 of teachers, group of teachers and administrators, or nonprofit  
8 organization may submit a letter of intent to an authorizer to  
9 convert a department school to a charter school, establish a  
10 governing board as its governing body, and develop a charter  
11 application pursuant to subsection (d).

12 (c) The conversion charter school charter application  
13 process and schedule shall be determined by the authorizer, and  
14 shall provide for and include the following elements:

15 (1) The submission of a letter of intent to convert to a  
16 charter school;

17 (2) The ~~[timely transmittal]~~ availability of the charter  
18 application form and completion guidelines ~~[to]~~ on the  
19 ~~[governing board;]~~ authorizer's website;

20 (3) The timely submission of a completed charter  
21 application to the authorizer; provided that the  
22 charter application shall include certification and



1 documentation that the charter application was  
2 approved by a majority of the votes cast by existing  
3 administrative, support, teaching personnel, and  
4 parents of students at the existing department school;  
5 provided that:

6 (A) This vote shall be considered by the authorizer  
7 to be the primary indication of the existing  
8 administrative, support, and teaching personnel,  
9 and parents' approval to convert to a charter  
10 school;

11 (B) The balance of stakeholders represented in the  
12 vote and the [~~bread~~] extent of support received  
13 in support of the conversion shall be a key  
14 factor, along with the applicant's proposed  
15 plans, in an authorizer's decision to award a  
16 charter; and

17 (C) A breakdown of the number of administrative,  
18 support, and teacher personnel, and parents that  
19 constitute the existing department school and the  
20 number that actually participated in the vote  
21 shall be provided to the authorizer;





- 1           (4) The timely review of the charter application by the  
2           authorizer for completeness, and notification by the  
3           authorizer to the governing board that the charter  
4           application is complete;
- 5           (5) Upon receipt of a completed charter application, the  
6           ~~[convening of the commission, if applicable, by the~~  
7           ~~commission chairperson to begin]~~ review and evaluation  
8           of the charter application ~~[-]~~ by qualified persons;
- 9           (6) Following the ~~[submission]~~ review and evaluation of a  
10          charter application, ~~[issuance of a charter]~~ approval  
11          or denial of the charter application by the authorizer  
12          ~~[or if submitted to the commission, by majority vote]~~;
- 13          (7) A provision for a final date by which a decision of  
14          whether to approve or deny a charter application must  
15          be made by the authorizer, upon receipt of a complete  
16          charter application; and
- 17          (8) A provision that no conversion charter school may  
18          begin operation before obtaining authorizer approval  
19          of its charter and charter contract ~~[-]~~ and fulfilling  
20          pre-opening requirements that may be imposed by the  
21          authorizer.



1 (d) A charter application to become a conversion charter  
2 school shall meet the requirements of this subsection and  
3 section 302D-25. The charter application shall include, at a  
4 minimum, the following:

5 (1) A description of employee rights and management issues  
6 and a framework for addressing those issues that  
7 protects the rights of employees;

8 (2) A plan for identifying, recruiting, and retaining  
9 highly qualified instructional faculty[~~7~~], as defined  
10 by the department;

11 (3) A plan for identifying, recruiting, and selecting  
12 students that is not exclusive, elitist, or  
13 segregationist[~~7~~], and complies with this chapter;

14 (4) The curriculum and instructional framework to be used  
15 to achieve student outcomes, including an assessment  
16 plan;

17 (5) A plan for the assessment of student, administrative  
18 support, and teaching personnel performance that:

19 (A) Recognizes the interests of the general public;

20 (B) Incorporates or exceeds the educational content  
21 and performance standards developed by the  
22 department for the public school system;



- 1 (C) Includes a system of faculty and staff  
2 accountability that holds faculty and staff  
3 individually and collectively accountable for  
4 their performance, and that is at least  
5 equivalent to the average system of  
6 accountability in public schools throughout the  
7 State; and
- 8 (D) Provides for program audits and annual financial  
9 audits;
- 10 (6) A governance structure for the charter school that  
11 incorporates a conflict of interest policy and a plan  
12 for periodic training to carry out the duties of  
13 governing board members;
- 14 (7) A description of the constitution of the governing  
15 board, terms of governing board members, and the  
16 process by which governing board members were  
17 selected;
- 18 (8) A financial plan based on the most recent fiscal  
19 year's per-pupil charter school allocation that  
20 demonstrates the ability to meet the financial  
21 obligations of one-time, start-up costs and ongoing



1 costs such as monthly payrolls, faculty recruitment,  
2 professional development, and facilities costs; and

3 (9) A facilities plan.

4 (e) A nonprofit organization may submit a letter of intent  
5 to an authorizer to convert a department school to a conversion  
6 charter school, operate and manage the school, establish a  
7 governing board as its governing body, and develop a charter  
8 application pursuant to subsection (d); provided that:

9 (1) As the governing body of the conversion charter  
10 school, the governing board shall be the board of  
11 directors of the nonprofit organization and shall not  
12 be selected pursuant to section 302D-12. The  
13 nonprofit organization may also appoint advisory  
14 groups of community representatives for each school  
15 managed by the nonprofit organization; provided that  
16 these groups shall not have governing authority over  
17 the school and shall serve only in an advisory  
18 capacity to the nonprofit organization;

19 (2) The charter application for each conversion charter  
20 school to be operated by the nonprofit organization  
21 shall be formulated, developed, and submitted by the  
22 nonprofit organization, and shall be approved by a



1 majority of the votes cast by existing administrative,  
2 support, and teaching personnel, and parents of the  
3 students of the existing department school; provided  
4 that:

5 (A) This vote shall be considered by the authorizer  
6 to be the primary indication of the existing  
7 administrative, support, and teaching personnel,  
8 and parents' approval to convert to a charter  
9 school;

10 (B) The balance of stakeholders represented in the  
11 vote and the ~~bread~~ extent of support received  
12 in support of the conversion shall be a key  
13 factor, along with the applicant's proposed  
14 plans, in an authorizer's decision to award a  
15 charter; and

16 (C) A breakdown of the number of administrative,  
17 support, and teacher personnel, and parents that  
18 constitute the existing department school and the  
19 number that actually participated in the vote  
20 shall be provided to the authorizer;

21 (3) The board of directors of the nonprofit organization,  
22 as the governing body for the conversion charter



1 school that it operates and manages, shall have the  
2 same protections that are afforded to the board in its  
3 role as the conversion charter school governing body;

4 (4) Any conversion charter school that is managed and  
5 operated by a nonprofit organization shall be eligible  
6 for the same federal and state funding as other public  
7 schools; provided that ~~[the nonprofit organization~~  
8 ~~makes a minimum annual]~~ nothing in this section shall  
9 prohibit a nonprofit organization from making a

10 contribution ~~[of \$1 per pupil]~~ toward the operation of  
11 a conversion charter school ~~[for every \$4 per pupil~~  
12 ~~allocated by the department of budget and finance for~~  
13 ~~the operation of the conversion charter school,~~  
14 ~~provided further that in no event shall the nonprofit~~  
15 ~~organization be required to contribute more than the~~  
16 ~~total required contribution per pupil per year. As~~  
17 ~~used in this paragraph, "total required contribution"~~  
18 ~~means:~~

19 ~~(A) \$1,650 for school years 2012 2013 through 2015-~~  
20 ~~2016; and~~

21 ~~(B) \$1,815 for school years 2016 2017 through 2020-~~  
22 ~~2021]; and~~



1           (5) If, at any time, the board of directors of the  
2           nonprofit organization governing the conversion  
3           charter school votes to discontinue its relationship  
4           with the charter school, the charter school may submit  
5           a revised charter application to the authorizer to  
6           continue as a conversion school without the  
7           participation of the nonprofit organization.

8           (f) Any nonprofit organization that seeks to manage or  
9           operate a conversion charter school as provided in subsection  
10          (e) shall comply with the following at the time of charter  
11          application:

12           (1) Have bylaws or policies that describe the manner in  
13           which business is conducted and policies that relate  
14           to the management of potential conflict of interest  
15           situations;

16           (2) Have experience in the management and operation of  
17           public or private schools or, to the extent necessary,  
18           agree to obtain appropriate services from another  
19           entity or entities possessing such experience;

20           (3) Comply with all applicable federal, state, and county  
21           laws, including licensure or accreditation, as  
22           applicable; and



1           (4) Comply with any other requirements prescribed by the  
2           department to ensure adherence with applicable  
3           federal, state, and county laws, and the purposes of  
4           this chapter.

5           (g) Any public school or schools, programs, or sections of  
6           existing public school populations that are part of a separate  
7           Hawaiian language immersion program using existing public school  
8           facilities may submit a letter of intent to an authorizer to  
9           form a conversion charter school pursuant to this section.

10          (h) In reviewing a charter application for a charter under  
11          this section, an authorizer shall take into consideration the  
12          constitution of the applicant's governing board, terms of  
13          governing board members, and the process by which governing  
14          board members were selected.

15          (i) In the event of a conflict between the provisions in  
16          this section and other provisions in this chapter, this section  
17          shall control.

18          ~~[(j) Any applicant whose charter application is denied by~~  
19          ~~the authorizer shall not be allowed to amend or resubmit the~~  
20          ~~charter application to the authorizer during a given cycle, as~~  
21          ~~defined by the authorizer, except as provided in subsection~~  
22          ~~(e) (5); provided that an applicant shall have the right to~~





1 ~~appeal the authorizer's denial of its charter application~~  
2 ~~pursuant to section 302D-15.~~

3       ~~(k)~~ (j) In reviewing charter applications for a charter  
4 under this section, an authorizer shall develop a schedule to  
5 approve or deny a charter application by the end of the calendar  
6 year for purposes of meeting any deadlines to request funding  
7 from the legislature."

8       SECTION 10. Section 302D-15, Hawaii Revised Statutes, is  
9 amended to read as follows:

10       "~~[+]§302D-15[+]~~ Appeals; charter applications,  
11 ~~[reauthorizations,]~~ renewals, or revocations. (a) The board  
12 shall have the power to decide appeals of decisions by an  
13 authorizer to deny the approval of a charter application, deny  
14 ~~[reauthorization]~~ renewal of a charter ~~[school,]~~ contract, or  
15 revoke a charter school's charter~~[.]~~ contract. An appeal shall  
16 be filed with the board within twenty-one calendar days of the  
17 receipt of the notification of denial or revocation. Only a  
18 party whose charter application has been denied, whose  
19 ~~[reauthorization]~~ charter contract renewal has been denied, or  
20 whose charter contract has been revoked may initiate an appeal  
21 under this section for cause. The board shall review an appeal  
22 and issue a final decision within sixty calendar days of the



1 filing of the appeal. [~~The board may adopt applicable rules and~~  
2 ~~procedures pursuant to chapter 91 for implementing the appeals~~  
3 ~~process.~~]

4 (b) The board shall serve as the final arbitrator of  
5 appeals authorized by subsection (a).

6 (c) A party shall not be entitled to a hearing before the  
7 board under this section until it has exhausted all available  
8 administrative remedies.

9 (d) The board shall adopt applicable rules and procedures  
10 pursuant to chapter 91 for implementing this section."

11 SECTION 11. Section 302D-16, Hawaii Revised Statutes, is  
12 amended as follows:

13 1. By amending subsection (a) to read:

14 "(a) The performance provisions within the charter  
15 contract shall be based on a performance framework that clearly  
16 sets forth the academic and operational performance indicators,  
17 measures, and metrics that will guide the authorizer's  
18 evaluations of each public charter school. The performance  
19 framework, as established by the authorizer, shall include  
20 indicators, measures, and metrics for, at a minimum:

21 (1) Student academic proficiency;

22 (2) Student academic growth;



- 1 (3) Achievement gaps in proficiency and growth between
- 2 major student subgroups;
- 3 (4) Attendance;
- 4 (5) [~~Recurrent enrollment from year to year,~~] Enrollment
- 5 variance;
- 6 (6) Postsecondary readiness, as applicable for high
- 7 schools;
- 8 (7) Financial performance and sustainability;
- 9 (8) Performance and stewardship, including compliance with
- 10 all applicable laws, rules, and terms of the charter
- 11 contract; and
- 12 (9) Organizational viability."

13 2. By amending subsection (d) to read:

14 "(d) The performance framework shall require the

15 disaggregation of all student performance data by major student

16 subgroups, [~~including gender, race, poverty status, special~~

17 ~~education status, English as a second language status, and~~

18 ~~gifted and talented status.] as determined by the board."~~

19 SECTION 12. Section 302D-18, Hawaii Revised Statutes, is

20 amended as follows:

21 1. By amending subsections (b) and (c) to read:



1           "(b) [~~No later than September 1, the~~] The authorizer shall  
2 issue a charter school performance report and charter contract  
3 renewal application guidance to any charter school whose charter  
4 contract will expire the following year. The performance report  
5 shall summarize the charter school's performance record to date,  
6 based on the data required by this chapter and the charter  
7 contract, and shall provide notice of any weaknesses or concerns  
8 perceived by the authorizer concerning the charter school that  
9 may jeopardize its position in seeking renewal [~~if not timely~~  
10 ~~rectified. The charter school shall have thirty days to respond~~  
11 ~~to the performance report and submit any corrections or~~  
12 ~~clarifications for the report]~~.

13           (c) The renewal application guidance shall, at a minimum,  
14 provide an opportunity for the public charter school to:

15           (1) Submit any corrections or clarifications to the  
16           performance report;

17           ~~[(1)]~~ (2) Present additional evidence, beyond the data  
18 contained in the performance report, supporting its  
19 case for charter renewal;

20           ~~[(2)]~~ (3) Describe improvements undertaken or planned for  
21 the school; and



1        [~~3~~] (4) Detail the charter school's plans for the next  
2                    charter term."

3            2. By amending subsection (e) to read:

4            "(e) No later than [~~March 1,~~] thirty days after the  
5        issuance of the performance report, the governing board of a  
6        charter school seeking renewal shall submit a renewal  
7        application to the authorizer pursuant to the renewal guidance  
8        issued by the authorizer. The authorizer shall decide whether  
9        or not to renew the charter no later than forty-five days after  
10       the filing of the renewal application."

11          3. By amending subsections (h), (i), and (j) to read:

12          "(h) An authorizer shall develop revocation and non-  
13        renewal processes that:

14            (1) Provide the charter contract holders with a timely  
15            notification of the prospect of revocation or non-  
16            renewal and the reasons for such possible closure;

17            (2) Allow the charter contract holders a reasonable amount  
18            of time in which to prepare a response;

19            (3) Provide the charter contract holders with an  
20            opportunity to submit documents and give testimony  
21            challenging the rationale for closure and supporting



- 1           the continuation of the school at an orderly  
2           proceeding held for that purpose;
- 3           (4) Allow charter contract holders access to  
4           representation by counsel, subject to section 28-8.3,  
5           and to call witnesses on their behalf;
- 6           (5) Permit the recording of proceedings described in  
7           paragraph (3); and
- 8           (6) After a reasonable period for deliberation, require a  
9           final determination to be made and conveyed in writing  
10          to the charter contract holders.
- 11          (i) If an authorizer revokes or does not renew a  
12 charter[7] contract, the authorizer shall clearly state in  
13 writing the reasons for the revocation or nonrenewal.
- 14          (j) Within fifteen days of taking action to renew, not  
15 renew, or revoke a charter[7] contract, the authorizer shall  
16 report to the board the action taken, and shall simultaneously  
17 provide a copy of the report to the charter school. The report  
18 shall set forth the action taken and reasons for the decision  
19 and assurances as to compliance with all the requirements set  
20 forth in this chapter."

21          SECTION 13. Section 302D-21, Hawaii Revised Statutes, is  
22 amended to read as follows:



1           " [†] §302D-21 [†] Annual board report. No later than twenty  
2 days prior to the convening of each regular session of the  
3 legislature, the board shall issue to the governor, the  
4 legislature, and the public, an annual report on the State's  
5 public charter schools, drawing from the annual reports  
6 submitted by every authorizer as well as any additional relevant  
7 data compiled by the board, for the school year ending in the  
8 preceding calendar year. The annual report shall include:

9           (1) A comparison of the performance of public charter  
10 school students with the performance of [~~academically,~~  
11 ~~ethnically, geographically, and economically~~  
12 ~~comparable groups~~] comparable subgroups of students in  
13 public schools governed by chapter 302A;

14           (2) The board's assessment of the successes, challenges,  
15 and areas for improvement in meeting the purposes of  
16 this chapter, including the board's assessment of the  
17 sufficiency of funding for public charter schools, and  
18 any suggested changes in state law or policy necessary  
19 to strengthen the State's public charter schools;

20           (3) A line-item breakdown of all federal funds received by  
21 the department and distributed to authorizers;



1           (4) Any concerns regarding equity and recommendations to  
2           improve access to and distribution of federal funds to  
3           public charter schools; and

4           (5) A discussion of all board policies adopted in the  
5           previous year, including a detailed explanation as to  
6           whether each policy is or is not applicable to charter  
7           schools."

8           SECTION 14. Section 302D-28, Hawaii Revised Statutes, is  
9           amended by amending subsection (a) to read as follows:

10           "(a) Beginning with fiscal year 2012-2013, and each fiscal  
11           year thereafter, the non-facility general fund per-pupil funding  
12           request for charter school students shall be the same as the  
13           general fund per-pupil amount to the department in the most  
14           recently approved executive budget recommendation for the  
15           department [~~and~~], shall be based upon reasonable projected  
16           enrollment figures for all charter schools[~~-~~], and shall include  
17           only those students who fall within the purview of section  
18           302A-1132. The general fund per-pupil request for each regular  
19           education and special education student shall:

20           (1) Include all general fund regular education cost  
21           categories, including comprehensive school support  
22           services, but excluding special education services,





1 adult education, and the after-school plus program;  
2 provided that these services are provided and funded  
3 by the department; and

4 (2) Exclude fringe benefit costs and debt service."

5 SECTION 15. Section 302D-31, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 "[~~H~~]§302D-31[~~]~~ Sports. The department shall provide  
8 students at charter schools, including students enrolled at  
9 charter schools whose curriculum incorporates virtual education,  
10 with the same opportunity to participate in athletics as is  
11 provided to students at other public schools. If a student at  
12 [a] any charter school wishes to participate in a sport for  
13 which there is no program at the charter school, the department  
14 shall allow that student to participate in a comparable program  
15 of any public school in the complex in which the charter school  
16 is located[~~-~~] or at the public school in the service area in  
17 which the student resides. All charter school students  
18 participating in athletics shall abide by all rules,  
19 regulations, and policies of the athletic league, association,  
20 and program applicable to the public school in whose athletic  
21 program the student is participating."



1 SECTION 16. Section 846-2.7, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) Criminal history record checks may be conducted by:

4 (1) The department of health or the department's designee  
5 on operators of adult foster homes or developmental  
6 disabilities domiciliary homes and their employees, as  
7 provided by section 333F-22;

8 (2) The department of health or the department's designee  
9 on prospective employees, persons seeking to serve as  
10 providers, or subcontractors in positions that place  
11 them in direct contact with clients when providing  
12 non-witnessed direct mental health services as  
13 provided by section 321-171.5;

14 (3) The department of health or the department's designee  
15 on all applicants for licensure for, operators for,  
16 prospective employees, and volunteers at one or more  
17 of the following: skilled nursing facility,  
18 intermediate care facility, adult residential care  
19 home, expanded adult residential care home, assisted  
20 living facility, home health agency, hospice, adult  
21 day health center, special treatment facility,  
22 therapeutic living program, intermediate care facility



1 for individuals with intellectual disabilities,  
2 hospital, rural health center and rehabilitation  
3 agency, and, in the case of any of the above  
4 facilities operating in a private residence, on any  
5 adult living in the facility other than the client as  
6 provided by section 321-15.2;

7 (4) The department of education on employees, prospective  
8 employees, and teacher trainees in any public school  
9 in positions that necessitate close proximity to  
10 children as provided by section 302A-601.5;

11 (5) The counties on employees and prospective employees  
12 who may be in positions that place them in close  
13 proximity to children in recreation or child care  
14 programs and services;

15 (6) The county liquor commissions on applicants for liquor  
16 licenses as provided by section 281-53.5;

17 (7) The county liquor commissions on employees and  
18 prospective employees involved in liquor  
19 administration, law enforcement, and liquor control  
20 investigations;

21 (8) The department of human services on operators and  
22 employees of child caring institutions, child placing



1 organizations, and foster boarding homes as provided  
2 by section 346-17;

3 (9) The department of human services on prospective  
4 adoptive parents as established under section  
5 346-19.7;

6 (10) The department of human services on applicants to  
7 operate child care facilities, prospective employees  
8 of the applicant, and new employees of the provider  
9 after registration or licensure as provided by section  
10 346-154;

11 (11) The department of human services on persons exempt  
12 pursuant to section 346-152 to be eligible to provide  
13 child care and receive child care subsidies as  
14 provided by section 346-152.5;

15 (12) The department of human services on operators and  
16 employees of home and community-based case management  
17 agencies and operators and other adults, except for  
18 adults in care, residing in foster family homes as  
19 provided by section 346-335;

20 (13) The department of human services on staff members of  
21 the Hawaii youth correctional facility as provided by  
22 section 352-5.5;



- 1       (14) The department of human services on employees,  
2           prospective employees, and volunteers of contracted  
3           providers and subcontractors in positions that place  
4           them in close proximity to youth when providing  
5           services on behalf of the office or the Hawaii youth  
6           correctional facility as provided by section 352D-4.3;
- 7       (15) The judiciary on employees and applicants at detention  
8           and shelter facilities as provided by section 571-34;
- 9       (16) The department of public safety on employees and  
10          prospective employees who are directly involved with  
11          the treatment and care of persons committed to a  
12          correctional facility or who possess police powers  
13          including the power of arrest as provided by section  
14          353C-5;
- 15       (17) The board of private detectives and guards on  
16          applicants for private detective or private guard  
17          licensure as provided by section 463-9;
- 18       (18) Private schools and designated organizations on  
19          employees and prospective employees who may be in  
20          positions that necessitate close proximity to  
21          children; provided that private schools and designated  
22          organizations receive only indications of the states



- 1 from which the national criminal history record  
2 information was provided pursuant to section 302C-1;
- 3 (19) The public library system on employees and prospective  
4 employees whose positions place them in close  
5 proximity to children as provided by section  
6 302A-601.5;
- 7 (20) The State or any of its branches, political  
8 subdivisions, or agencies on applicants and employees  
9 holding a position that has the same type of contact  
10 with children, vulnerable adults, or persons committed  
11 to a correctional facility as other public employees  
12 who hold positions that are authorized by law to  
13 require criminal history record checks as a condition  
14 of employment as provided by section 78-2.7;
- 15 (21) The department of human services on licensed adult day  
16 care center operators, employees, new employees,  
17 subcontracted service providers and their employees,  
18 and adult volunteers as provided by section 346-97;
- 19 (22) The department of human services on purchase of  
20 service contracted and subcontracted service providers  
21 and their employees serving clients of the adult and



1 community care services branch, as provided by section  
2 346-97;

3 (23) The department of human services on foster grandparent  
4 program, retired and senior volunteer program, senior  
5 companion program, and respite companion program  
6 participants as provided by section 346-97;

7 (24) The department of human services on contracted and  
8 subcontracted service providers and their current and  
9 prospective employees that provide home and community-  
10 based services under section 1915(c) of the Social  
11 Security Act, Title 42 United States Code section  
12 1396n(c), or under any other applicable section or  
13 sections of the Social Security Act for the purposes  
14 of providing home and community-based services, as  
15 provided by section 346-97;

16 (25) The department of commerce and consumer affairs on  
17 proposed directors and executive officers of a bank,  
18 savings bank, savings and loan association, trust  
19 company, and depository financial services loan  
20 company as provided by section 412:3-201;

21 (26) The department of commerce and consumer affairs on  
22 proposed directors and executive officers of a



- 1 nondepository financial services loan company as  
2 provided by section 412:3-301;
- 3 (27) The department of commerce and consumer affairs on the  
4 original chartering applicants and proposed executive  
5 officers of a credit union as provided by section  
6 412:10-103;
- 7 (28) The department of commerce and consumer affairs on:  
8 (A) Each principal of every non-corporate applicant  
9 for a money transmitter license; and  
10 (B) The executive officers, key shareholders, and  
11 managers in charge of a money transmitter's  
12 activities of every corporate applicant for a  
13 money transmitter license,  
14 as provided by section 489D-9;
- 15 (29) The department of commerce and consumer affairs on  
16 applicants for licensure and persons licensed under  
17 title 24;
- 18 (30) The Hawaii health systems corporation on:  
19 (A) Employees;  
20 (B) Applicants seeking employment;  
21 (C) Current or prospective members of the corporation  
22 board or regional system board; or





- 1 (D) Current or prospective volunteers, providers, or  
2 contractors,  
3 in any of the corporation's health facilities as  
4 provided by section 323F-5.5;
- 5 (31) The department of commerce and consumer affairs on:  
6 (A) An applicant for a mortgage loan originator  
7 license; and  
8 (B) Each control person, executive officer, director,  
9 general partner, and manager of an applicant for  
10 a mortgage loan originator company license,  
11 as provided by chapter 454F;
- 12 (32) The state public charter school commission or public  
13 charter schools on employees, teacher trainees,  
14 prospective employees, and prospective teacher  
15 trainees in any public charter school for any position  
16 that places them in close proximity to children, as  
17 provided in section 302D-B;
- 18 [~~32~~] (33) The counties on prospective employees who work  
19 with vulnerable adults or senior citizens in  
20 community-based programs;



1       ~~[(33)]~~ (34) The counties on prospective employees for fire  
2                   department positions which involve contact with  
3                   children or dependent adults;

4       ~~[(34)]~~ (35) The counties on prospective employees for  
5                   emergency medical services positions which involve  
6                   contact with children or dependent adults;

7       ~~[(35)]~~ (36) The counties on prospective employees for  
8                   emergency management positions and community  
9                   volunteers whose responsibilities involve planning and  
10                  executing homeland security measures including  
11                  viewing, handling, and engaging in law enforcement or  
12                  classified meetings and assisting vulnerable and  
13                  disabled citizens during emergencies or crises; and

14       ~~[(36)]~~ (37) Any other organization, entity, or the State,  
15                   its branches, political subdivisions, or agencies as  
16                   may be authorized by state law."

17           SECTION 17. Section 302D-22, Hawaii Revised Statutes, is  
18   repealed.

19           ~~["§302D-22] Board as final arbitrator. (a) The board~~  
20   ~~shall serve as the final arbitrator of those appeals listed in~~  
21   ~~section 302D-15.~~



1       ~~(b) A party shall not be entitled to a hearing before the~~  
2 ~~board under this section until it has exhausted all available~~  
3 ~~administrative remedies.~~

4       ~~(c) The board shall adopt applicable rules and procedures~~  
5 ~~pursuant to chapter 91 for implementing this section."]~~

6       SECTION 18. In codifying the new sections added by section  
7 2 of this Act, the revisor of statutes shall substitute  
8 appropriate section numbers for the letters used in designating  
9 the new sections in this Act.

10       SECTION 19. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12       SECTION 20. This Act shall take effect upon its approval.

13

INTRODUCED BY: *Jakashi Om*  
*Botari*

JAN 22 2013



# H.B. NO. 674

**Report Title:**

Education; Charter Schools

**Description:**

Requires charter schools to complete an annual independent financial audit. Requires the state public charter school commission (commission) to develop procedures for conducting criminal history checks of persons who are employed or seeking employment in any position that places them in close proximity to children. Specifies enrollment requirements. Specifies when an employer or potential employer may use criminal history information to terminate or deny employment. Requires commission members to disclose to the commission a list of all charter schools in which the member is an employee, governing board member, vendor, contractor, agent, or representative and disqualifies members from voting on or participating in the discussion of such matters. Authorizes the commission to hire employees without regard to chapters 76 and 89, HRS. Removes the requirement that a nonprofit organization that governs a conversion charter school make minimum annual contributions to the charter school. Makes other amendments to chapter 302D, HRS, for purposes of clarity and consistency.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

