

JAN 18 2013

S.B. NO. 362

A BILL FOR AN ACT

RELATING TO CHARTER SCHOOLS.

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

1 SECTION 1. The legislature finds that public charter
2 schools, as a legitimate part of the State's public educational
3 system, should receive facilities funding that is equitable to
4 that of department of education public schools.

5 The purpose of this Act is to require the board of
6 education, in consultation with the department of education and
7 the state public charter school commission, to develop a formula
8 that will provide charter schools with equitable facilities
9 funding.

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

13 "§302D- Facilities funding. (a) By December 31, 2013,
14 the board, in consultation with the department and the
15 commission, shall develop a formula to determine the amount of
16 facilities funding for charter schools. The formula shall take
17 into account any annual lease and rent costs incurred by charter
18 schools. The formula shall also include a method for



1 determining annual projected maintenance and repair costs for
2 charter schools. In developing the formula, the board shall
3 ensure to the best of its ability that charter schools will
4 receive equitable funding to comparable public schools governed
5 by chapter 302A.

6 (b) Notwithstanding any law to the contrary, beginning
7 with fiscal year 2014-2015, and each fiscal year thereafter, the
8 general fund facilities funding request for charter schools
9 shall be based on the formula developed pursuant to subsection
10 (a).

11 (c) The legislature shall make an appropriation based upon
12 the facilities funding request pursuant to subsection (b).

13 (d) The governor, pursuant to chapter 37, may impose
14 restrictions or reductions on appropriations for charter school
15 similar to those imposed on other public schools.

16 (e) This section shall not limit the ability of the
17 director of finance to modify or amend any allotment pursuant to
18 chapter 37."

19 SECTION 3. Section 302D-28, Hawaii Revised Statutes, is
20 amended by amending subsection (b) to read as follows:

21 "(b) Fringe benefit costs for charter school employees,
22 regardless of the payroll system utilized by a charter school,



1 shall be included in the department of budget and finance's
 2 annual budget request. No fringe benefit costs shall be charged
 3 directly to or deducted from the charter school per-pupil
 4 allocations.

5 The legislature shall make an appropriation based upon the
 6 budget request; provided that the legislature may make
 7 additional appropriations for [~~facility~~] facilities, pursuant to
 8 section 302D- , and any other costs.

9 The governor, pursuant to chapter 37, may impose
 10 restrictions or reductions on charter school appropriations
 11 similar to those imposed on other public schools."

12 SECTION 4. Statutory material to be repealed is bracketed
 13 and stricken. New statutory material is underscored.

14 SECTION 5. This Act shall take effect upon its approval.

15

INTRODUCED BY: *[Signature]*
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

S.B. NO. 362

Report Title:

Charter Schools; Facilities Funding

Description:

Requires the board of education, in consultation with the department of education and the state public charter school commission, to develop a formula to determine the amount of facilities funding for charter schools. Requires that, beginning with fiscal year 2014-2015, the general fund facilities funding request for charter schools shall be based on this formula.

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

