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CATHERINE PAYNE  
CHAIRPERSON

STATE OF HAWAII  
**STATE PUBLIC CHARTER SCHOOL COMMISSION**  
**(‘AHA KULA HO‘ĀMANA)**

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FOR: SB2516 SD1 Relating to Facilities Funding for Charter Schools  
DATE: Thursday, February 27, 2014  
TIME: 9:00 a.m.  
COMMITTEE(S): Senate Committee on Ways and Means  
ROOM: Conference Room 211  
FROM: Tom Hutton, Executive Director  
State Public Charter School Commission

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**Testimony in support of SB2516 SD1**

Chair Ige, Vice Chair Kidani, and members of the Committee:

The State Public Charter School Commission is pleased to submit this testimony in strong support of this measure, which would make a general fund appropriation for the Commission to allocate to charter schools for facilities projects, based, in part, on the need and performance of the respective schools. The Commission expresses its appreciation to the Chair, Vice Chair, and Committee members who introduced this measure.

The need to address facilities costs is arguably the single greatest unaddressed challenge for Hawaii’s chartering system. Currently, start-up charter schools must pay for the costs of their facilities from out of their already stretched operational funds.

As noted in the bill’s findings, the Commission currently is implementing a Facilities Pilot Program for the awarding of funds to charter schools for relatively small-scale facilities projects and has allocated approximately \$680,000 of federal Impact Aid funds to this program from out of a temporary but sizable increase in such funds for the current fiscal year. Funds for the pilot program are planned for distribution around the beginning of the 2014 academic year.

This initiative by the Commission has engendered considerable controversy among some of the charter schools, which are anxious about the adequacy of their operating funds, as well as concern that the precedent not be misperceived by the Legislature as a sign that the

Commission somehow can address the facilities challenge using existing resources. Despite these concerns, the Commission has seized this opportunity to move ahead with the initiative, in an attempt to demonstrate that a program of investing in charter school facilities will prove a sound investment for the public, and, importantly, to allow the system to work through any legal and practical issues before any additional state funds are invested.

The appropriation envisioned in this bill would enable the Commission to continue this program after the federal Impact Aid funds awarded in the pilot are exhausted. The proposal is the outgrowth of an informal interagency working group convened by Education Committee Chair Tokuda after the 2013 legislative session to explore funding options for charter schools. The Commission is grateful for the contributions of legislative members and staff, the Office of Governor, the Departments of Education and Budget and Finance, the Hawaii Charter Schools Network, and the charter schools, among others, to those discussions.

We note that this year, as in past years, the Commission also submitted on the schools' behalf capital improvement project (CIP) requests totaling some \$31 million. Eligibility for these requests is limited to start-up charter schools located on state land. We believe that these projects are meritorious, but, as in past years, they have been categorically rejected rather than considered on their merits. The Commission recognizes that there have been some questions regarding CIP funding for charter schools, and we welcome the opportunity to collaborate with the Legislature, the Department of Budget and Finance, and others to identify and work through those questions. If in the meantime, however, traditional charter school CIP projects are not to be considered, in our view it is all the more important that other means of providing incremental support for the charter schools' facilities needs be implemented.

In this regard the Commission notes that another measure before this Committee, SB 2517 SD1, Relating to Charter Schools, would authorize the Commission to request the issuance of general obligation bonds from the Director of Finance for charter school facilities needs. We address this proposal in separate testimony, but to the extent that the financing mechanism proposed under that measure would be unavailable for certain types of equally compelling charter school facilities costs, we request that the Legislature consider the two proposals to be complementary, rather than mutually exclusive.

The Commission also believes that a third proposal for charter school facilities support that has been introduced in the House of Representatives is worthy of the Legislature's consideration. HB 2576 HD1, Relating to Education, would make an appropriation for a charter school facilities funding but also would establish an income tax credit for taxpayers who make contributions to the development of charter school facilities.

Thank you for the opportunity to provide this testimony.



# HAWAI‘I EDUCATIONAL POLICY CENTER TESTIMONY

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Presented by Jim Shon, Director  
Hawaii Educational Policy Center  
February 27, 2014

COMMITTEE: WAM

DATE: Wednesday, February 27, 2014

TIME: 9:00 a.m.

PLACE: Conference Room 211

SB 2516 SD1 RELATING TO FACILITIES FUNDING FOR CHARTER SCHOOLS  
(And related charter bills.)

**HEPC supports the essence of this bill.** HEPC supports equal treatment and support for all public school students.

The National Alliance for Public Charter Schools recently published a report comparing state charter school laws. (<http://www.publiccharters.org/get-the-facts/law-database/states/hi/>) The Alliance has some ideological positions that are questionable, such as a bias against collective bargaining. Each of the 19 criteria can be analyzed for their appropriateness for Hawaii. That said, the profile of Hawaii does score us rather low on adequacy for funding.

In summarizing its “score” the Alliance noted:

**TOTAL SCORE:**

**140** out of **228**

**Rank: 21** out of **43**

**Year Charter School Law Was Enacted:** 1994

**Estimated Number of Public Charter Schools in 2013-14:** 33

**Estimated Number of Public Charter School Students in 2013-14:**  
10,398

Hawaii did not pass any legislation in 2013 that affected its score and ranking.

Hawaii’s score increased from 139 points in 2013 to 140 points this year. The score changed because of further clarification about the specific policies for Component #6 (Transparent Charter Application, Review, and

## HAWAI‘I EDUCATIONAL POLICY CENTER

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Decisionmaking Processes) and Component #13 (Automatic Exemptions from Many State and District Laws and Regulations).

Its ranking went from #14 to #21. This drop had more to do with the aggressive changes made in other states than with any steps backward in Hawaii.

Hawaii’s law still needs significant improvement in several areas, including beefing up the requirements for charter application, review, and decision making processes; exempting charter schools from collective bargaining agreements; and *ensuring equitable operational funding and equitable access to capital funding and facilities.* [emphasis added]

Specifically, criteria #18 and 19 speak directly to the equity issue.

**18. Equitable  
Operational Funding  
and Equal Access to All  
State and Federal  
Categorical Funding**

**WEIGHT = 4 | POSSIBLE  
TOTAL = 16**

The state law includes some of the model law’s provisions for equitable operational and categorical funding, and there is no evidence of the amount of funds charters receive versus districts.

Hawaii provides operational funds to its charter schools via a line item appropriation in the state budget, using a charter schools account as a separate account in the state treasury. The law notes that the non-facility general fund per-pupil funding is to be the same as that allocated for traditional public schools. It also directs the state director of finance to transfer additional general fund money to charter schools as needed. The law also provides that charter schools are eligible for all applicable federal funding.

Although not stated in law, transportation dollars are in the “general funds” category in the state’s budget, and charters receive equal non-facility general fund money.

## 19. Equitable Access to Capital Funding and Facilities

WEIGHT = 4 | POSSIBLE TOTAL = 16

19A. A per-pupil facilities allowance which annually reflects actual average district capital costs.

19B. A state grant program for charter school facilities.

19C. A state loan program for charter school facilities.

19D. Equal access to tax-exempt bonding authorities or allow charter schools to have their own bonding authority.

19E. A mechanism to provide credit enhancement for public charter school facilities.

19F. Equal access to existing state facilities programs available to non-charter public schools.

19G. Right of first refusal to purchase or lease at or below fair market value a closed, unused, or underused public school facility or property.

19H. Prohibition of facility-related requirements stricter than those applied to traditional public schools.

Hawaii law allows the commission to request facilities funding as part of its annual budget request to the director of finance beginning with fiscal year 2014-15. The legislature is currently not providing funding for facilities costs.

Hawaii law requires the state department of education to make vacant public school facilities available to charter schools.

HEPC *does not support* one premise of this bill, which is that performance of a school (presumably on tests) should be a criteria for providing some facilities support for its students.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,200,000 or so much thereof as may be necessary for fiscal year 2014-2015 for the state public charter school commission to allocate to charter schools for facilities projects based, in part, on the need **and performance** of the charter schools.

HEPC respectfully asks the Committee to consider the following questions:

Q. For HIDOE students, does the performance of administrators or students determine whether the State provide adequate facilities?

A. Of course not. Students and schools do not have to “earn” a good education or support.

Q. How many HIDOE schools consider converting to charter status knowing the levels of operational and facility support?

A. Very few, unless they have a guaranteed additional financial support system, or have no choice for survival.

Q. Given the fact that facilities arrangements must be made using the per pupil allocation, how does that allocation provide adequate additional resources for facilities?

A. Generally, within our HIDOE, for every teacher there is one other non-instructional support staff at the school, complex, district or state level. Thus we have about 21K FTE in the HIDOE, and of that about 11K are teachers. (Based on HIDOE reports to the federal government.) For Hawaii charters, there are approximately 1,300 FTS, and of that 1,000 are teachers. So roughly one-third of an FTE for every teacher.

A. Generally, for all operating expenditures, HIDOE spends approximately 40% on teacher salaries. For charters, the percentage of the \$6,100 that is often needed to pay teachers is closer to 80%, which means there is far less for computers, desks, and facilities.

Q. What is the likelihood that \$1.2 million will equitably serve the 10,000 students in our public charter schools?

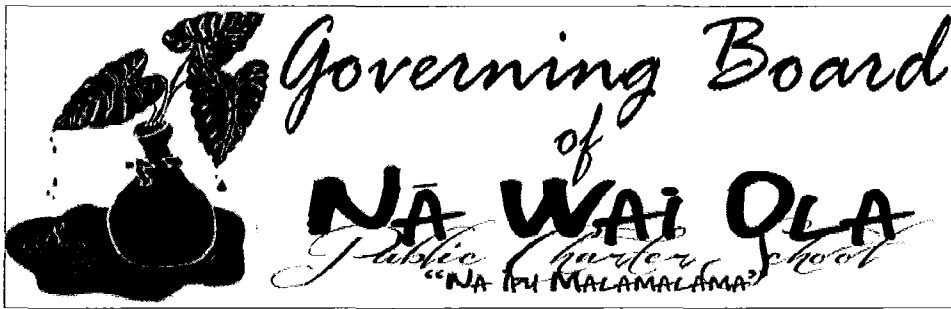
A. I think you know the answer to this.

A more complete review of equity in funding issues can be found at:

<http://web41.its.hawaii.edu/manoa.hawaii.edu/hepc/wp-content/uploads/Exploring-Financial-Equity-between-HIDOE-and-Charter-School-Systems-October-23.pdf>

This report can fairly be chided for utilizing some older data (most Federal data is two or three years old), or minor calculations that more accurate data provide. However, it utilizes only data already published on the Internet by the State or Federal government. For the most part, the larger perspectives, such as how far \$6,100 goes to pay for the education of a public school students, or how traditionally (year after year) Hawaii and other states fund public education, is accurate enough.

For these reasons, HEPC encourages this Committee to provide whatever additional support it can so that individual public school students at charter schools receive equity.



TESTIMONY IN SUPPORT OF SENATE BILL 2516 SD1

A BILL FOR AN ACT RELATING TO FUNDING FOR  
CHARTER SCHOOLS

HOUSE COMMITTEE ON WAYS AND MEANS

Senator David Y. Ige, Chair  
Senator Michelle N. Kidani, Vice Chair

Thursday, February 27, 2014, 9:00 AM  
State Capitol, Conference Room 211

Honorable Chair Ige, Vice-Chair Kidani, and Members of the Committee on Ways and Means, Maurice C. Messina, Na Wai Ola Public Charter School (PCS) Governing Board Chair submits the following testimony in support of Senate Bill No. 2516 SD1.

The purpose of this measure is to appropriate funds for the State Public Charter School Commission to allocate to Charter Schools for facilities projects based, in part, on the need and performance of the Charter Schools.

The need to address facilities costs is arguably the single greatest unaddressed challenge for Hawaii's Charter Schools - Na Wai Ola PCS is no exception. Our school is classified as a "Recognition School" and the only Charter School in the state to be ranked in this first tier; however, our students and staff must endure daily hardships that are directly tied to a lack of facilities funding.

The costs of facilities construction, rental, maintenance and repair directly impacts and limits the funds Charter Schools can access for student education. With instructional budgets already seriously under resourced, every dollar spent on facilities are taken directly from our funding for classrooms. Charter Schools currently receive less funding than their DOE counterparts and are left to their own devices to raise additional capital to make up the difference.

For these reasons, I STRONGLY SUPPORT the passage of Senate Bill No. 2516 SD1. Thank you for the opportunity to testify on this matter.

Respectfully,  
Maurice C. Messina  
Chair, Na Wai Ola PCS Governing Board



Thursday, February 27, 2014  
9:00 AM  
Conference Room 211

TESTIMONY TO  
THE SENATE COMMITTEE  
ON WAYS AND MEANS

**RE: SB 2516 SD1– Relating to Facilities Funding for Charter Schools**

Chair Ige, Vice Chair Kidani, and members of the Committee:

My name is Robert Witt, President and Chief Executive Officer of the Hawaiian Educational Council (HEC). In a partnership between HEC and the Polynesian Voyaging Society (PVS), Nainoa Thompson and I have founded the Mālama Honua Learning Center (MHLC), a public charter school committed to providing the students of Hawai'i a rigorous, values-based, and place-based education. MHLC stands to provide the community with a school dedicated to indigenous cultural values that nourish goodness; in addition to helping students develop into wise, compassionate navigators of their learning, lives and 21st century global world.

**HEC is in strong support of SB 2516 SD1**, a bill for an act which would appropriate funds for the state public charter schools for facilities projects.

HEC, as well as the Hawaii Association of Independent Schools (HAIS), an organization of which I am the Executive Director, believe in the public purpose of education and that families should have choices when it comes to the education of their children. Charter schools in Hawaii provide that option for our families who otherwise may not be able to find a public school that shares their educational values.

Charter schools currently receive less funding than their DOE counterparts for the education of their students and are left to their own devices to raise additional revenue to make up the difference. More importantly, charter schools must use these same operational funds to build new facilities or for the upkeep of their current ones, thereby stretching their already limited funds further.

Thank you for the opportunity to testify in strong support of this measure.



Allyson H. Chambers, MD  
Kaiser Permanente Physician, Kona Clinic  
**West Hawaii Explorations Academy Parent** (WHEA) 6<sup>th</sup> grader and  
**Kona Pacific Public Charter School Parent** (KPPCS) 3<sup>rd</sup> grader

In support of: **SB2516** (funds for charter school facilities); **SB2517** (bonds for construction and maintenance of charter facilities); and **HB2576** (special fund and tax credit for donors to charters).

February 25, 2014

Dear Hawaii State Legislature,

My clinic (Kaiser Kona) is desperate to attract talented professionals, as are many businesses here on the Big Island. One of the reasons is the very poor reputation of our public school system. **The promise of paradise is not enough for young professionals looking to raise their kids here.**

**Without the two charter schools (WHEA and KPPCS) that my children attend we would not stay;** and without increased support from this legislature, the future of these schools is not assured for my youngest child who will be starting school soon.

Fixing the whole Hawaii Public School system is a worthy long term goal, but it is not one that can be realized in the near term. Strengthening the charter school system is something you can do now, and with a relatively small investment that will **act as a catalyst to change attitudes and expectations about public education**: strong, well-funded charter schools increase the chances that new, well-educated, upwardly mobile young professionals will bring their talents and their families here.

Especially on this island **we need the energy and diversity that is afforded by highly talented, highly educated émigrés from the mainland; they stimulate all of us to think beyond our shores, and open up new possibilities for all of our children.**

I love the education my kids are getting here, both in school and from the Kumu and 'Anakala who have taught them many lessons from the Island's long history: surfing, paddling, fishing, cultivation of Kalo and other native plants, respect for elders and the environment, etc., **but both of them are taking their DOE testing in tents!**

**The Big Island is an amazing place, but a fervent passion for academics is still difficult to instill in a child who grows up here.**

We are so close, but without your help we could tip backward into failure.

Sincerely,

Allyson H. Chambers, MD

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**SB2516**

Submitted on: 2/25/2014

Testimony for WAM on Feb 27, 2014 09:00AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Benjamin Duke	Individual	Support	No

Comments: I have been a teacher at West Hawaii Explorations Academy PCS for seven years and have seen the positive effects of giving charter schools freedom to provide a hands-on, real-world, project-based curriculum. Hopefully, my son will be attending Innovations Public Charter School starting next year. As a responsible tax payer, I cannot understand why fair funding support for my child and students isn't required by law. Please provide equitable operational funding and equitable access to capital funding and facilities for all public school children. Charter schools provide important options for families and students. WHEA is consistently among the top high schools in the state. WHEA students have to take DOE tests in tents and outdoors. Half of WHEA's Senior Class is already enrolled in college through the UH Running Start Program. Mahalo for your consideration, Benjamin Duke

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**SB2516**

Submitted on: 2/25/2014

Testimony for WAM on Feb 27, 2014 09:00AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Catherine Abellera	Individual	Support	No

Comments: My family feels strongly about how much we love our school and feel frustrated that our children are not receiving appropriate funding that should be required by law. Charter schools and offered my children an excellent education. WHEA is among the top high schools in our state, please allow this to continue and offer them the opportunity to excel.

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**SB2516**

Submitted on: 2/25/2014

Testimony for WAM on Feb 27, 2014 09:00AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Curtis Muraoka	Individual	Support	No

Comments: West Hawaii Explorations Academy has always operated with high levels of innovative success, first as a DOE school-within-a-school, and then from May, 2000 on, as a public charter school. Recently, the stricter testing parameters of the ACT have highlighted how inadequate facilities impact students directly. During ACT testing of 2013, WHEA students were forced to take tests under tents and outdoors. Despite those unacceptable conditions, WHEA's college readiness was at 75%, among the highest in the state. This is NOT to say that facilities are unimportant, rather, it is to highlight how state level policy decisions do not always understand boots-on-the-ground reality. Facilities funding has been the biggest missing piece in support of charter school students. Undeniably, as public school students, the 10,000 charter school students in our state deserve a fair shake. We are greatly encouraged that SB2516 is being heard by your Committee on Ways and Means, and that positive game changing support is being discussed.

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**SB2516**

Submitted on: 2/25/2014

Testimony for WAM on Feb 27, 2014 09:00AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Fredanette Leanio	Individual	Support	No

Comments: I support equitable operational funding and equitable access to capital funding and facilities for all public and charter school children.

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**SB2516**

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Testimony for WAM on Feb 27, 2014 09:00AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jo van Bakel	Individual	Support	No

Comments:

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**SB2516**

Submitted on: 2/25/2014

Testimony for WAM on Feb 27, 2014 09:00AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kurt Tauchert	Individual	Support	No

Comments: Please support the many youth participating in charter schools!

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**SB2516**

Submitted on: 2/25/2014

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Liana White	Individual	Support	No

Comments: Charter schools deserve equal funding.

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**SB2516**

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melanie Gross	Individual	Support	No

Comments:

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**SB2516**

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
shannon tauchert	Individual	Support	No

Comments:

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**SB2516**

Submitted on: 2/25/2014

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
shellese guieb	Individual	Support	No

Comments: As a parent that has had children in both department of education and public charter schools simultaneously, I am dumbfounded as to why both schools do not receive equitable funding for facilities. Please do the right thing and provide fair treatment of both choices to educate our children in public education. I support SB2516.

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