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(‘AHA KULA HO‘ĀMANA)

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FOR: HB 1001 Relating to Education
DATE: Monday, February 9, 2015
TIME: 2:00 p.m.
COMMITTEE(S): House Committee on Education
ROOM: Conference Room 309
FROM: Tom Hutton, Executive Director
State Public Charter School Commission

Chair Takumi, Vice Chair Ohno, and members of the Committee:

The State Public Charter School Commission (“Commission”) appreciates the opportunity to submit this testimony in support of House Bill 1001, “Relating to Education,” which makes clarifying and conforming amendments to the chapter governing charter schools. These include the following:

- Aligning the requirements for applying for start-up and conversion charter schools;
- Defining an “applicant governing board” for a proposed new charter school;
- Amending the deadline for the Board of Education’s (“Board”) annual report on charter schools to the opening day of each regular session of the Legislature, to allow more time for the Commission to publish its own Annual Report using audited annual financial reports from the schools and to address time challenges with processing the latest academic data from the schools;
- Requiring the Department of Education (“Department”) to provide notice to the Board when the Department considers whether to close any Department school so that the Board can consider the disposition of the facility;
- Providing students who are currently enrolled in a charter school that has been notified of the prospect of revocation, or is closing, with an enrollment priority preference at other charter schools;
- Allowing for an enrollment preference, through a weighted lottery, to educationally disadvantaged students; and

- Other housekeeping amendments.

These proposed provisions represent incremental but important improvements to Chapter 302D, Hawaii Revised Statutes (“HRS”).

The Commission respectfully requests an additional housekeeping amendment. Currently, statute mandates authorizers to require charter schools to submit annual reports for the purposes of assisting the authorizer in gathering complete information about each school. On a practical level, the Commission has access to the required data and can request more, and so has compiled the information on the schools and invited them to review it, rather than requiring each school to generate a report on its own and submit it to the Commission. Therefore, we request that §302D-17(b), HRS, be amended as follows:

“Each authorizer shall annually publish and provide, as part of its annual report to the board and the legislature, a performance report for each public charter school it oversees, in accordance with the performance framework set forth in the charter contract and section 302D-16. The authorizer ~~shall~~ may require each public charter school it oversees to submit an annual report to assist the authorizer in gathering complete information about each school. The annual report ~~shall~~ may include the status of the charter school’s compliance with annual performance targets, as determined by the charter contract.”

The Commission also respectfully requests a revision to a proposed amendment in the bill to ensure that a charter school has the option of giving special consideration to enrolling a transfer from another charter school that is facing closure, rather than requiring it in all instances. Therefore, we request that the “shall” on page 27, line 9, be changed to “may.”

Thank you for the opportunity to provide this testimony.