
A BILL FOR AN ACT

RELATING TO CHAPTER 302D, HAWAII REVISED STATUTES.

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

1 SECTION 1. The legislature finds that the public charter
2 school commission is currently the only authorizer of public
3 charter schools in the State and is therefore responsible for
4 overseeing and monitoring all thirty-four of Hawaii's public
5 charter schools. On January 10, 2017, the board of education
6 approved administrative rules addressing multiple charter school
7 authorizers in Hawaii. While the adoption process for those
8 rules requires approval from additional departments, if adopted,
9 the rules will supplement existing laws that allow charter
10 schools to choose to be under the oversight of a different
11 authorizer, instead of the public charter school commission.

12 The public charter school commission has also expressed a
13 desire to choose which schools it authorizes, which if allowed,
14 would eliminate its status as the State's default authorizer.

15 The legislature further finds that over the past few years,
16 high quality candidates have expressed interest in becoming
17 authorizers pursuant to section 302D-3, Hawaii Revised Statutes.



1 If approved, these new authorizers should receive funding for
2 their services.

3 The legislature also finds that best practices of charter
4 school authorizers require that authorizers be subject to the
5 same governance conditions as those imposed on the state-
6 established authorizer.

7 The purpose of this Act is to:

- 8 (1) Require that authorizers be subject to the same
9 general requirements as the state public charter
10 school commission; and
11 (2) Apportion legislative appropriations for the state
12 public charter school commission to other authorizers
13 based upon the number of students under each entity's
14 authority.

15 SECTION 2. Section 302D-3, Hawaii Revised Statutes, is
16 amended by amending subsection (j) to read as follows:

17 "(j) The commission shall operate with dedicated resources
18 and staff qualified to execute the day-to-day responsibilities
19 of the commission pursuant to this chapter. Beginning with the
20 2015-2016 fiscal year, the legislature shall make an
21 appropriation to the commission separate from, and in addition



1 to, any appropriation made to charter schools pursuant to
2 sections 302D-28 and 302D-29.5[-]; provided that if the board
3 grants chartering authority to one or more entities pursuant to
4 section 302D-4, funds appropriated to the commission for that
5 purpose shall be apportioned to the commission and each
6 authorizer in proportion to the number of students under the
7 respective entity's authority."

8 SECTION 3. Section 302D-6, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "§302D-6 Principles and standards for charter authorizing.

11 (a) All authorizers shall be required to follow nationally
12 recognized principles and standards for quality charter
13 authorizing in all major areas of authorizing responsibility,
14 including:

- 15 (1) Organizational capacity and infrastructure;
- 16 (2) Soliciting and evaluating charter applications;
- 17 (3) Performance contracting;
- 18 (4) Ongoing public charter school oversight and
19 evaluation; and
- 20 (5) Charter and charter contract renewal decision-making.



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1 (b) All authorizers shall establish a committee that
2 mirrors, as much as possible, the requirements applicable to the
3 commission under section 302D-3, including:

4 (1) The committee shall be subject to chapter 92;
5 (2) The mission of the committee shall be the same as the
6 mission of the commission specified in section 302D-
7 3(b);

8 (3) The committee shall consist of nine members to be
9 appointed by the head of the governing board or the
10 mayor, in the case of a county. The committee shall
11 appoint members who will be tasked with authorizing
12 public charter schools that serve the unique and
13 diverse needs of public charter school students. The
14 chair of the committee shall be designated by the
15 members of the committee for each school year
16 beginning July 1, and whenever there is a vacancy.
17 The head of the governing board or the mayor, in the
18 case of a county, shall consider the combination of
19 abilities, breadth of experiences, and characteristics
20 of the committee, including the diversity of the
21 student population, geographical representation, and a



- 1 broad representation of education-related
2 stakeholders;
- 3 (4) Understanding that the role of the committee is to
4 ensure a long-term strategic vision for Hawaii's
5 public charter schools, each member of the committee
6 shall meet the minimum qualifications as set forth in
7 section 302D-3(d)(1) to (4) and shall ideally meet the
8 qualifications set forth in section 302D-3(e)(1) and
9 (2);
- 10 (5) Five members of the committee shall constitute a
11 quorum to conduct business. Any action taken by the
12 committee shall be by a simple majority of the members
13 of the committee who are present; provided that any
14 action of the commission that may be appealed pursuant
15 to section 302D-15 shall require a concurrence of at
16 least five members to be valid;
- 17 (6) Committee members shall not serve more than three
18 consecutive three-year terms, with each term beginning
19 on July 1; provided that the initial terms shall be
20 staggered as follows:



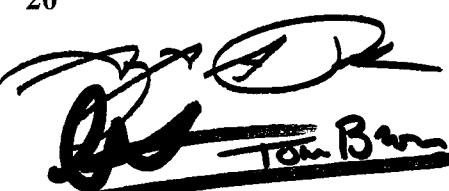

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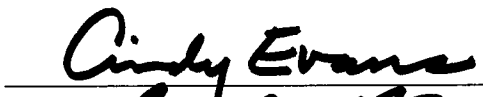

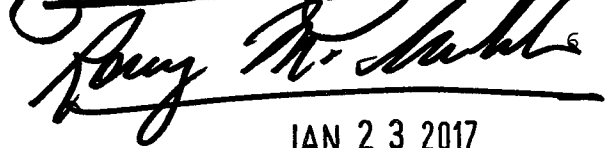
1 (A) Three members, including the chairperson, shall
 2 serve three-year terms;
 3 (B) Three members shall serve two-year terms; and
 4 (C) Three members shall serve one-year terms; and
 5 (7) Notwithstanding the terms of the members, the head of
 6 the governing board or the mayor, in the case of a
 7 county, may fill vacancies in the committee at any
 8 time when a vacancy occurs due to resignation, non-
 9 participation, the request of a majority of the
 10 commission members, or termination by the board for
 11 cause.

12 (c) Authorizers shall carry out all their duties under
 13 this chapter in a manner consistent with nationally recognized
 14 principles and standards and with the spirit and intent of this
 15 chapter. Evidence of material or persistent failure to do so
 16 shall constitute grounds for losing charter authorizing powers."

17 SECTION 4. Statutory material to be repealed is bracketed
 18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on July 1, 2017.

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 INTRODUCED BY: 

H.B. NO. 812

Report Title:

Public Charter School Commission; Authorizers; County

Description:

Requires that the appropriation made to the Public Charter School Commission be apportioned to other authorizers. Requires that authorizers meet similar governance requirements as the Public Charter School Commission.

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

