

DAVID Y. IGE
GOVERNOR



CATHERINE PAYNE
CHAIRPERSON

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

<http://CharterCommission.Hawaii.Gov>
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813
Tel: (808) 586-3775 Fax: (808) 586-3776

FOR: SB 2391 Relating to Charter School Governing Boards
DATE: February 9, 2018
TIME: 2:45 P.M.
COMMITTEE: Committee on Education and Committee on Government Operations
ROOM: Conference Room 229
FROM: Sione Thompson, Executive Director
State Public Charter School Commission

Chair Kidani, Chair Kim, and members of the Committees:

The State Public Charter School Commission (“Commission”) appreciates the opportunity to submit this testimony in **SUPPORT WITH AMENDMENTS of SB 2391**, which requires charter school governing board members to attend an annual mandatory training session that covers the topics of ethics, procurement, and fiduciary responsibilities.

Section 302D-12, Hawaii Revised Statutes (HRS), establishes a charter school governing board as the independent governing body of the charter school that has oversight and responsibility over the financial, organizational, and academic viability of the charter school, the implementation of the charter, the independent authority to determine the organization and management of the school, the curriculum, and compliance with applicable federal and state laws.

The importance of a charter school governing board is further emphasized as it is the entity that the Commission executes a charter contract with. The governing board is also considered as the employer of charter school employees.

The Commission has been working with various organizations and stakeholders to facilitate training and resources for charter school governing boards. In its role as the authorizer, the Commission would not provide direct training to charter school governing boards. The Commission should, however, review any training programs to ensure that these programs

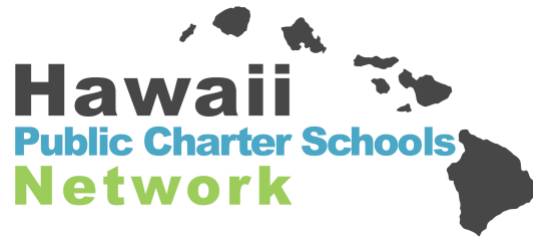
cover the appropriate areas and topics that prepare prospective governing board members for the responsibility that they are accepting.

The Commission requests the committees consider the following language for this measure:

(m) Governing board members shall be certified through programs approved by the authorizer no later than the completion of their first year serving on the governing board. These programs should include, at a minimum, training on the topics of ethics, subject to chapter 84; procurement; and fiduciary responsibilities and provide for re-certification of governing board members serving more than one term. Current governing board members will be required to be certified no later than June 30, 2019.

The Commission appreciates the Legislature's support in addressing this vital need in the charter school system in Hawaii and looks forward to working with the committees, public charter schools, and other interested stakeholders in moving this legislation forward.

Thank you for the opportunity to provide this testimony.



February 9, 2018

To: Honorable Michelle Kidani, Chair
Honorable Kaiali'i Kahele, Vice Chair
Senate Committee on Education

From: Jeannine Souki, Executive Director
Hawaii Public Charter Schools Network

**Re: SB 2391- RELATING TO CHARTER SCHOOL GOVERNING BOARDS- SUPORT
Conference Room 229 – Hawaii State Capitol – February 9, 2018, 2:45 P.M.**

On behalf of the Hawaii Public Charter School Network (HPCSN), I respectfully submit our testimony for SB 2391 – which would put into place training requirements for charter school governing boards.

HPCSN supports SB2391 and the legislative intent to ensure charter school governing boards are afforded adequate training to prepare volunteer members in their duty to ensure their school's operations and school leader's performance are in accord with their charter contract with the state public charter school commission or any future authorizer recognized by the state.

Hawaii's charter schools and likewise its governing boards are a hybrid of the traditional charter school model and Hawaii's traditional public schools. Unlike other states where charters are operated by non-profit organizations, Hawaii's charter schools are mini-state entities and its governing boards are state boards which are accountable to both our state requirements, but also many of the same requirements that traditional charter school boards must uphold to maintain their charter school's contracts.

HPCSN provides a venue for sharing best practices and supporting the growth of charter school leaders and their governing boards for the benefit of students served by the schools.

HPCSN works with national charter school organizations and other state charter support organizations to learn and adapt charter school best practices and infuse information covering Hawaii state laws and requirements into workshops for governing board members throughout the state. For several years, HPCSN has provided training workshops across the state for charter school governing boards to inform their financial, academic and organizational performance frameworks requirements under their charter contracts. In addition, our workshops provide specific guidance to board members on their roles and responsibilities to manage other contract negotiations, such as developing supplemental agreements to state collective bargaining master contracts.

Many charter school board members currently participate in both Ethics and Sunshine law training as they are offered to all state boards and commissions members. This training is recommended but not currently mandated to appointed boards and commissions members. HPCSN defers to the Ethics Commission and Office of Information Practices to provide further information regarding their trainings.

HPCSN has not come across any state-provided training programs to state board and commission members to provide training in fiduciary responsibility. However, HPCSN does cover this in our board training workshops.

HPCSN appreciates the committee's leadership to advance this bill to further refine HRS §302 (D) to recognize the provision of board training and respectfully requests an amendment to change from an annual requirement to run with the term of the board member and to recognize that charter schools governing boards may also seek training provided by other non-governmental organizations registered in the state of Hawai'i.

Mahalo for your consideration. HPCSN works to improve the operation and governance of public charter schools in Hawai'i and to be a voice for children and families that seek choices and quality in an independent public-school setting.



SB2391
RELATING TO CHARTER SCHOOL GOVERNING BOARDS
Senate Committee on Education
Senate Committee on Government Operations

February 9, 2018

2:45 PM

Room 229

The Office of Hawaiian Affairs **SUPPORTS** SB2391, which would require governing board members of public charter schools to attend annual training sessions on ethics, procurement, and their fiduciary responsibilities.

A charter school governing board is tasked with significant responsibilities. It is the independent governing board of its charter school and responsible for the financial, organizational, and academic viability of its school; it also has the independent authority to determine the organization and management of the school, and the school's compliance with applicable federal and state laws. As such, governing boards make important decisions in the areas of finance, organization, academics, and resource allocation. In doing so, governing board members are also required to abide by a range of ethical and procedural requirements and guidelines.

Charter school governing board members are civic-minded public servants who are not compensated for their volunteer work. They serve because of their desire to contribute to their community and to the quality of life in Hawai'i. OHA believes that ethics training sessions would provide a critical opportunity for these individuals to understand and comply with state ethics laws in the execution of their responsibilities, as required under HRS section 302D-12(i). Similarly, training sessions would also advance their understanding of the state procurement laws that they are encouraged to use, and would assist in their development of internal procedures for the procurement of goods, services, and construction pursuant to HRS section 302D-12(g). Finally, a training on any applicable fiduciary obligations would also help to ensure that board members are aware of their legal responsibilities in this regard.

OHA does defer to the judgment of the training agencies, as to the appropriate frequency of the trainings that would be required under this measure.

Therefore, OHA urges the Committees to **PASS** SB2391.

Mahalo nui for the opportunity to testify on this measure.