

**STATE OF HAWAII
BOARD OF EDUCATION**
P.O. BOX 2360
HONOLULU, HAWAII 96804

January 9, 2019

The Honorable Ronald D. Kouchi
President and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki, Speaker
and Members of the House of
Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the annual report on the State's public charter schools as required by Section 302D-21, Hawaii Revised Statutes. In accordance with Section 93-16, Hawaii Revised Statutes, I am also informing you that the report may be viewed electronically at:

<http://boe.hawaii.gov/policies/Pages/Reports.aspx>.

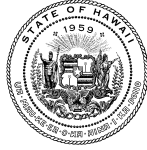
Sincerely,

A handwritten signature in black ink that reads "Catherine Payne".

Catherine Payne
Chairperson

cc: Legislative Reference Bureau
Office of the Superintendent, Department of Education (via email)
Office of the Governor (via email)
Office of the Lieutenant Governor (via email)
Department of Budget and Finance (via email)
Office of the Auditor (via email)

Enclosures



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LEGISLATIVE REPORT

SUBJECT: Requesting the Board of Education (the “Board”) provide the Governor, Legislature and the public an annual report on the State’s public charter schools, drawing from the annual reports submitted by every authorizer as well as any additional relevant data compiled by the Board, for the school year ending in 2018. The annual report shall include:

- (1) The Board’s assessment of the successes, challenges, and areas for improvement in meeting the purposes of Hawaii Revised Statutes (“HRS”) Chapter 302D, including the Board’s assessment of the sufficiency of funding for public charter schools, and any suggested changes in state law or policy necessary to strengthen the State’s public charter schools;
- (2) A line-item breakdown of all federal funds received by the Department of Education (the “Department”) and distributed to authorizers;
- (3) Any concerns regarding equity and recommendations to improve access to and distribution of federal funds to public charter schools;
- (4) A summary of the criteria used by the charter school facilities funding working group, established pursuant to HRS §302D-29.5, in allocating facilities funding;
- (5) A detailed breakdown of the allocation of funding through general funds and bond funds;
- (6) A detailed list of the projects funded by general funds and bond funds;
- (7) The status of funding for projects previously awarded; and
- (8) A discussion of all Board policies adopted in the previous year, including a detailed explanation as to whether each policy is or is not applicable to charter schools.

REFERENCE: HRS §302D-21

ACTION REQUESTED: Report to the 2019 Legislature.

DOE REPORT: This is the seventh annual report provided by the Board pursuant to Act 130, Session Laws of Hawaii (“SLH”) 2012, codified as HRS Chapter 302D and subsequently amended. The goal of Act 130, SLH 2012, was to strengthen the Hawaii charter school governance structure by establishing clear lines of authority that ensures accountability of the charter school system. A key aspect of HRS Chapter 302D is increased oversight and accountability of charter schools. Measures related to

academic performance, financial performance and sustainability, and operational viability are a focus of the law.

The annual report required by HRS §302D-21 is designed to meaningfully assess and support the provisions of the law. Since the first report in 2012, each subsequent report has built upon previous years' reports. These annual reports have provided information on the status of the charter schools, the implementation of accountability measures needed to fulfill the purposes of the law, and the status of charter school facilities funding and the implementation of Act 234, SLH 2015.¹ Last year's report included more information on the Board's efforts to implement charter school law and improve the charter school system. This year's report builds on last year's report.

FINDINGS

(1) The Board's assessment of the successes, challenges, and areas for improvement in meeting the purposes of this chapter, including the Board's assessment of the sufficiency of funding for public charter schools, and any suggested changes in state law or policy necessary to strengthen the State's public charter schools.

SUCSESSES

Addressing special review deficiencies. As explained in last year's report, the Board conducted a special review of the State Public Charter School Commission (the "Commission") and issued a report on February 21, 2017, which found several deficiencies in the Commission's ability to meet statutory requirements and national standards for quality charter authorizing.² As required by the Board, the Commission, through its report from last year, provided corrective action plans to address deficiencies relating to strategic vision and organizational goals, operational conflicts of interest, and self-evaluation of capacity, infrastructure, and practices.³ The Board also required the Commission to report quarterly on, as well as include in the Commission's annual report, the corrective actions taken to address the deficiencies found in the special review report until the Board determines sufficient progress. Since delivering its last annual report to the Board in 2017, the Commission has provided quarterly reports to the Board on March 1 and June 7, 2018. The

¹ Act 234, SLH 2015, section 1 states that the purpose of the Act is "to provide: (1) A framework for providing facilities funding and support for public charter school facilities with adequate prioritization, oversight, and accountability; and (2) Public charter schools and early learning programs that are affiliated with a public charter school with the opportunity to secure the use of additional state facilities deemed vacant and appropriate for use."

² The special review report is attached as Exhibit B to Investigative Committee Chairperson Brian De Lima's memorandum dated February 7, 2017, available here: http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/GBM_20170221_Board%20Action%20on%20Special%20Review%20recommendations.pdf.

³ The Commission's 2016-2017 annual report is available on its website here: <http://www.chartercommission.hawaii.gov/reports>. See pages 64–75 for corrective action plans and actions.

Commission also included in its report this year some of its corrective actions to date.⁴ A separate memorandum to the Board reports the rest of its corrective actions.⁵ The Board is pleased with the Commission's work to address previously identified deficiencies, and the Board has determined that the Commission has made sufficient progress and is no longer required to report on corrective actions.

Improving communication and relationships. As reported last year, in addition to the required outcomes of the special review, the Board requested that the Commission provide a plan to the Board for improving communication and relationships with the charter schools. Although the Commission did not include a plan specifically to improve communication and relationships with the charter schools in its report last year, the Commission prioritized increasing direct communication with governing boards and participating in governing board meetings for the 2017-2018 school year. While the Commission did not include information about how it has been engaging directly with governing boards in its report this year, the Commission informed the Board that it changed its intervention protocol, which it uses to notify schools about performance or compliance concerns and provide reasonable opportunity to remedy such problems. The Commission changed the intervention protocol to directly notify the governing board of concerns and require an action plan approved by the governing board. The Commission also informed the Board that Commission staff attended governing board meetings to present on its performance frameworks.

School-specific measures and value-added measures. As reported last year, in addition to the required outcomes of the special review, the Board requested that the Commission provide a plan to the Board for reducing the time and resources spent by charter schools in selecting and developing acceptable school-specific measures. Last year the Commission reported that it discontinued school-specific measures as of June 30, 2016 in favor of value-added measures, which it described as mission-aligned measures co-created by charter schools and Commission staff, effective beginning in school year 2017-2018.⁶ The Commission's report this year further explains that a key difference between the two types of measures is that school-specific measures were optional whereas value-added measures are required and counted in the academic performance for all charter schools.⁷

⁴ The Commission's 2017-2018 annual report is available on its website here: <http://www.chartercommission.hawaii.gov/reports>. See pages 53–55 for corrective action plans and actions.

⁵ For the complete list of the Commission's corrective actions, see the memorandum from Sione Thompson, dated November 27, 2018, available here: http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/GBM_12062018_Action%20on%20Commission%20reporting%202017%20special%20review.pdf.

⁶ Commission 2016-2017 annual report, page 38.

⁷ Commission 2017-2018 annual report, pages 32-34.

Charter school performance. As noted in previous years' reports, the Commission's report contains information on the cumulative and individual academic, organizational, and financial performance of all charter schools, including a comparison of the performance of charter school students with all public school students.⁸

Sufficiency of funding. For the 2017-2018 fiscal year, the Commission assessed the financial performance of charter schools with a financial performance framework that examines the potential risk of fiscal insolvency. Based on the results of this new financial performance framework, only three charter schools out of the 33 assessed received risk ratings lower than "acceptable," illustrating that the majority of charter schools remain fiscally sound.⁹ The results also suggests that the financial status of charter schools, as a group, continues to be relatively stable. However, as described below, facilities funding continues to be an ongoing challenge.

CHALLENGES

Facilities funding. As noted in previous reports, a major and ongoing challenge is the lack of funding for charter school facilities. Act 234, SLH 2015, took a step toward addressing this perennial problem. This report addresses the reporting requirements of Act 234, but the Legislature has not appropriated general funds or authorized bonds for charter school facilities to date. In addition, the Charter School Facilities Funding Working Group, established pursuant to HRS §302D-29.5, has not met since June 2017 nor has the Commission adopted finalized criteria to determine the distribution of facilities funds, as required by law. Encouragingly, however, the Commission informed the Board that the Charter School Facilities Funding Working Group is scheduled to meet again in January 2019 to finalize recommended criteria. The Board recommends that the Legislature provide some form of facilities funding to charter schools to address this unmet need, urges the Commission to complete and adopt the facilities funding criteria, and recommends the reconvening of the Charter School Facilities Funding Working Group to create a priority list for the allocation of facilities funds.

Centralized support. As reported last year, another major challenge is the lack of a system of support for charter schools. Unlike Department schools, charter schools do not have a centralized department or agency that allows them to take advantage of economies of scale and maximize their financial resources. The Commission attempts to fill this void by providing some limited supports, but its statutory role as an authorizer conflicts with the role of a true support organization. Statute acknowledges this and restricts the level and type of support the Commission can provide. In addition, the approval of another authorizer without a non-authorizer centralized support agency would add

⁸ Commission 2017-2018 annual report, pages 21–46 and appendices A–D.

⁹ Commission 2017-2018 annual report, pages 42–43.

complexity to the charter school system and expose it to potential conflicts of interests, fairness and equity issues, and unnecessary inefficiencies. The Board's Student Achievement Committee tasked the Board's staff with researching solutions to this issue.¹⁰ Until Board staff complete their research, the Board does not have a specific recommendation, but it urges the Legislature to consider changing statute to include some kind of centralized support for charter schools.

AREAS FOR IMPROVEMENT

Charter school purpose policy. As reported last year, in addition to the required outcomes of the special review, the Board requested that the Commission work with the charter school community to develop a purpose of charter schools and propose a Board policy codifying the purpose. At the Board's March 1, 2018 general business meeting, Sione Thompson, the Executive Director of the Commission, requested that the Board provide guidance regarding the development of a Board policy on the purpose of charter schools. In response, then-Board Chairperson Lance Mizumoto directed Board staff to work with and provide support and guidance to the Commission as to the development of the Board policy and to coordinate efforts with the Superintendent and the Department. Board staff developed and released a survey on April 27, 2018, left it open through May 18, 2018, and received 2,639 responses from various education community members.

As of this writing, a panel of education policy and data experts are reviewing the data analysis, findings, and policy proposal. After this review, the Board Chairperson will send the analysis and policy proposal to the Commission for review. The Commission will then consider the Board Chairperson's proposal and make a recommendation for a Board policy to the full Board. The Board hopes to receive a recommendation from the Commission before the end of the 2018-2019 school year.

Implementation of multiple charter school authorizer system. Last year's report noted that the Board still had several tasks to complete to implement Chapter 8-515, Hawaii Administrative Rules ("HAR"), entitled "Establishment and Oversight of Charter School Authorizers," and Chapter 8-517, HAR, entitled "Charter Contract Transfers." The outstanding tasks included developing an application and process for eligible entities to apply to become authorizers and an authorizer performance evaluation system. Unfortunately, the Board has not made much progress on the development the key documents due to other Board priorities taking precedent. However, the Board's Student Achievement Committee released a request for information in April 2018 to gauge which parties are interested in becoming new charter school

¹⁰ More information about how the centralized support issue relates to a multiple charter school authorizer system is contained in Student Achievement Committee Chairperson Margaret Cox's memorandum dated April 5, 2018 here:

http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/SAC_20180405_Action%20on%20charter%20school%20support%20structure.pdf.

authorizers. Five interested parties, three nonprofit organizations and two postsecondary institutions, submitted responses to the request for information. In addition, both the charter school purpose policy and centralized charter school support initiatives are necessary to create a charter school system that supports multiple authorizers. The Board hopes to report more progress next year.

(2) A line-item breakdown of all federal funds received by the Department and distributed to authorizers.

Please see attached, Exhibit A.

(3) Any concerns regarding equity and recommendations to improve access to and distribution of federal funds to public charter schools.

Previous reports from the Commission noted a perceived lack of transparency regarding the availability of certain federal funds, including those used for special education, and a Department-Commission-charter school working group had been updating informational guidance and resources on special education in charter schools. Last year the Commission reported that it anticipated the guidelines for the delivery of special education to be in place no later than the start of the 2018-2019 school year.¹¹ The report from the Commission this year does not discuss these guidelines, but the Commission informed the Board that it is waiting on the Department of Education and Department of the Attorney General to finalize the guidelines. The Board looks forward to an update on the guidelines next year.

Last year, the Commission reported that would “develop communication and information strategies in collaboration with charter schools, the [Department], and other stakeholders to answer and/or clarify issues surrounding resource allocation, support systems, and programs.”¹² In its report this year, the Commission notes that it continues to work with various state agencies and stakeholders to “increase efficiency in the release and distribution of funds to charter schools,” particularly in the federal Title I program.¹³ The Commission further notes that it will “work with charter schools and affected stakeholders on alternative methodologies for fund allocation and distribution” as it achieves “gains in efficiency.” The Board will review the details of the Commission’s efforts and results next year and again requests that the Commission provide recommendations to improve access and distribution of federal funds to charter schools.

(4) A summary of the criteria used by the charter school facilities funding working group, established pursuant to HRS §302D-29.5, in allocating facilities funding.

¹¹ Commission 2016-2017 annual report, page 13.

¹² Commission 2016-2017 annual report, page 62.

¹³ Commission 2017-2018 annual report, page 52-53.

As noted above, the Commission has not yet developed criteria to allocate facilities funding, and the Charter School Facilities Funding Working Group has not met since the Commission's last annual report.

(5) A detailed breakdown of the allocation of funding through general funds and bond funds.

The Legislature has not yet appropriated general funds or issued bond authorization to charter schools for facilities.

(6) A detailed list of the projects funded by general funds and bond funds.

There are currently no charter school facilities projects being funded by general funds or bond funds.

(7) The status of funding for projects previously awarded.

No charter school facilities projects have been awarded general funds or bond funds.

(8) A discussion of all board policies adopted in the previous year, including a detailed explanation as to whether each policy is or is not applicable to charter schools.

As it has done in past reports, the Board is again providing a full list of all current policies, attached as Exhibit B, indicating whether each policy is applicable to charter schools.

The only policy changes that occurred since the Board's last report were amendments to Board Policy 301-2, entitled "Creating Communities of Learners," which does not apply to charter schools.

FUTURE ACTIONS

The Commission has adequately addressed deficiencies from the Board's special review, and the Board believes that the Commission is implementing a strong accountability system. The Board is also encouraged by the steps the Commission has taken to improve communication and relationships with the charter schools. However, the Board would like to see more progress on the criteria to determine the distribution of facilities funds. The Board would also like the Commission to continue collaborating with the Board on development of the Board policy on the purpose of charter schools and finding solutions to the centralized support issue. The Board will continue to develop the other pieces of the multiple authorizer system. Finally, yet importantly, the Board encourages the Legislature to provide facilities funding to address the issue of long-term financial stability and equity, which has been a clear issue in all of these reports, and to consider other supports for charter schools, especially some kind of centralized support system or structure.

Exhibit A – Summary of FY2017-18 Federal Fund Allocations to Charter Schools

Federal Program	Grant Purpose and Basis for Allocation	All Funds distributed to the Charter Schools via the Commission in Fiscal Year 2017-18
U.S. DOE Impact Aid	Grant provided financial assistance to local education agencies affected by Federal presence. Distribution based on proportion of total public school enrollment.	\$2,470,119
ESSA Title I LEA Grant-Schools	Grant provided to help disadvantaged students in school with the highest concentrations of poverty meet the same high standards expected of all students. Distribution made to only schools with 47.2% or more students receiving free or reduced-price meals. Distribution to these schools based on Title I formula using number of free or reduced-price eligible students multiplied by the per pupil amount for the school's county.	\$3,033,683
DOD Supplement to Impact Aid funds for Compact Impact funds	To provide charter schools with a pro-rata share based on enrollment of the federal Compact Impact funds received from the U.S. Department of the Interior. In lieu of directly allocating Compact Impact funds that carry with them spending restrictions and reporting requirements, this allocation was made using Department of Defense (DoD) Supplement to Impact Aid funds that only requires the funds be expended pursuant to State law.	\$80,719
ESSA Title IIA Assist Non-Highly Qualified Teachers to Highly Qualified Teachers	To provide charter schools with funding to support professional development and other activities that assist Non-Highly Qualified Teachers (NHQT) to become Highly Qualified (HQ) in core academic subjects.	\$16,448
ESSA Title IIA Professional Development-OCISS	Grant provided to improve teacher quality and increase the number of highly qualified teachers in the classroom. Distribution based on an approved Title IIA Highly Qualified Plan.	\$1,596

Exhibit A – Summary of FY2017-18 Federal Fund Allocations to Charter Schools

Federal Program	Grant Purpose and Basis for Allocation	All Funds distributed to the Charter Schools via the Commission in Fiscal Year 2017-18
Title VIB Special Education Project I (IDEA)	Grant provided special education and related services to eligible students in accordance with federal regulations. Distribution based on award for 100% input into the SPED information system and funds for program costs. NOTE: IDEA funds are primarily allocated to Complex Areas to assist in supporting special education related services for all public school students, including charter school students.	\$545,171
DoD Supplement to Impact Aid	Grant provided financial assistance to local education agencies affected by military presence. Distribution based on proportion of total public school enrollment.	\$158,212
Native Hawaiian Pihana Hou-UH FY15	Grant to improve educational outcomes in reading for Native Hawaiian students in pre-kindergarten through grade three. Distribution to eleven elementary schools that serve high percentages of students of Hawaiian ancestry that have also submitted a proposed budget and signed an agreement to implement project activities.	\$60,000
ESSA Title I LEA Grant-Innovation	Grant is to provide awards to schools to pilot innovative programs that meet the following criteria: target the root cause of a challenging and complex problem by using breakthrough approaches to education; disrupt existing structures and systems; have the potential to permanently transform education; implement creative practices and new methods of operation; and are strongly aligned with the Innovation Fund priority areas and Implementation Plan strategies of School Design, Student Voice, and Teacher Collaboration.	\$69,000

Exhibit A – Summary of FY2017-18 Federal Fund Allocations to Charter Schools

Federal Program	Grant Purpose and Basis for Allocation	All Funds distributed to the Charter Schools via the Commission in Fiscal Year 2017-18
ESSA Title I LEA – Homeless Children	Grant provides funds for educationally related support services to homeless children who do not attend Title I schools, including providing services to children at the shelters and other locations where children may live.	\$13,510
ESSA Title III Language Instruction	Grant provides funds to supplement efforts to improve the education of limited English proficient children. Distribution based on the number of ELL students enrolled in schools after submission and approval of written plans.	\$19,934
ESSA Title I LEA-Trans & Supplemental Services	Grant to support school improvement/turnaround at the complex and school level with supplemental education supports and services for Priority, Focus, and low performing schools.	\$795,648
ESSA Title I LEA Grant-CA Initiatives	Grant supports focus on providing students the diverse, integrated curriculum and learning experiences necessary for a well-rounded education. Title I schools can support student achievement through a wide array of services, including counseling, specialized instructional support services, mentoring services, preparation for post-secondary education and the workforce, behavior supports, early intervening services, violence prevention programs, professional development and other activities for school staff.	\$994,364
ESSA Title I LEA Grant-School Improvement	Grant provides supplemental services and supports to Priority, Focus, and low performing schools.	\$1,555,732
ESSA Title I LEA Grant-Parent Engagement	Grant to provide support for parent involvement activities, including but not limited to family literacy training, training to enhance parenting skills, etc. Distribution based on Title I formula.	\$35,480

Exhibit A – Summary of FY2017-18 Federal Fund Allocations to Charter Schools

Federal Program	Grant Purpose and Basis for Allocation	All Funds distributed to the Charter Schools via the Commission in Fiscal Year 2017-18
Native Hawaiian Mohala I Ke Ao-UH FY18	Grant to improve educational outcomes for Native Hawaiian students in the elementary grade level. Distribution to various elementary schools that serve high percentages of students of Hawaiian ancestry that have also submitted a proposed budget and signed an agreement to implement project activities.	\$14,000
NCLB-Supplemental School Improvement Grant FY16	Funds for school improvement under Section 1003(a) of the ESEA School Improvement Grants (SIG) [CFDA 84.377] are used to improve student achievement in Title I schools identified for improvement or corrective action to enable those schools to show academic growth and improve status.	\$651,167
NCLB-Supplemental School Improvement Grant FY17	funds for school improvement under Section 1003(a) of the ESEA School Improvement Grants (SIG) [CFDA 84.377] are used to improve student achievement in Title I schools identified for improvement or corrective action to enable those schools to show academic growth and improve status.	\$1,148,833
Education for Homeless Children & Youth	Grant provided to support all homeless children to have equal access to free and appropriate public education. Funds support staffing for personnel that provide technical assistance to various groups. Distribution is based on the cost of a homeless liaison position and related expenses.	\$18,875
ESSA Migrant Education	Grant provided to support education programs that address the needs of migratory children. Distribution made based on a percentage formula incorporating at-risk factors and the number of migrant students at each school.	\$29,224

Exhibit A – Summary of FY2017-18 Federal Fund Allocations to Charter Schools

Federal Program	Grant Purpose and Basis for Allocation	All Funds distributed to the Charter Schools via the Commission in Fiscal Year 2017-18
Special Education Pre-School Grant	Funds are provided for supplemental services to support the special education of students with disabilities 3 to 5 years of age in accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and Hawaii Administrative Rules, Chapter 60.	\$1,508
Vocational Education – Program Improvement FY18	Grant to provide resource and services to identified project schools that are developing and implementing improved and expanded CTE programs during the school year. Distribution of funds based on SY17-18 CTE one-year plans that have been submitted and approved.	\$5,820
Vocational Education – Program Improvement FY17	Grant to provide resource and services to identified project schools that are developing and implementing improved and expanded CTE programs during the school year. Distribution of funds based on SY17-18 CTE one-year plans that have been submitted and approved.	\$877
ESSA Math & Science Partnership FY17	Grant to provide stipends to teachers at identified schools that participated in training sessions during SY17-18.	\$177
Total		\$11,720,097

Exhibit B – Board of Education Policies and Applicability to Charter Schools

As of 10/25/2018

Policy #	Policy	Applicable to Charter Schools?
E-1	Philosophy of Education in Hawaii's Public Schools	No
E-2	Mission, Vision, Values, and Beliefs	No
E-3	Nā Hopena A'o (HĀ)	No
E-100	Student Success	No
E-101	Whole Student Development	No
101-1	Student Code of Conduct	No
101-2	Character Education	No
101-3	Student Activities	No
101-4	Community Sponsored Activities	No
101-5	Guidance, Counseling and Related Services	No
101-6	Comprehensive Student Support System	No
101-7	School Climate and Discipline	No
101-8	Extended Learning Opportunities	No
101-9	School-Sponsored Student Publications	No
101-10	School Service	No
101-11	Surfing	No
101-12	Academic Requirements for Participation in Co-Curricular Activities	No
101-13	Controversial Issues	No
101-14	Family and Community Engagement/Partnership	No
101-15	Focus on Students	No
101-16	High School Athletics	No
E-102	Academic Mastery and Assessment	No
102-1	Effective Schools Reporting	No
102-2	K-12 Literacy	No
102-3	Statewide Content and Performance Standards	Yes
102-4	Diverse Stakeholder Inclusion in the Development of Content and Performance Standards	No
102-5	Comprehensive Assessment and Accountability System	No
102-6	Statewide Assessment Program	Yes
102-7	Recruitment and Testing of Students by Private Schools and Other Agencies	No
102-8	Student Promotion	No
102-9	Middle Level Education Promotion	No
102-10	Educational Research and Evaluation	No
102-11	Pilot and Innovative Projects	No
102-12	Reporting Student Progress and Achievement	No
102-13	Credits	No
102-14	Homework	No
102-15	High School Graduation Requirements and Commencement	Yes

Policy #	Policy	Applicable to Charter Schools?
E-103	Health and Wellness	No
103-1	Health and Wellness	No
103-3	Emergency Care for Sick or Injured Students	No
103-4	School Health Services	No
103-5	Sexual Health Education	No
103-6	School Food Services	No
103-7	Food Sales	No
103-8	Prophylactics in the Public Schools	No
E-105	Well Rounded Academic Program	No
105-1	Academic Program	No
105-2	Responsibility for Curriculum Development and Implementation	No
105-3	Curriculum	No
105-4	Instructional Materials	No
105-5	Gifted and Talented	No
105-6	Career and Technical Education	No
105-7	Hawaiian Education Programs	Yes
105-8	Ka Papahana Kaiapuni	Yes
105-9	Fine Arts Program	No
105-10	Alternative Programs and Services for Secondary Students	No
105-11	Pregnant/Parenting Students	No
105-12	Special Education and Related Services	Yes
105-13	Inclusion	No
105-14	Multilingualism for Equitable Education	No
105-15	Seal of Biliteracy	No
105-18	Field Trips and Student Travel	No
E-106	Supports for Effective Learning	No
106-1	School Calendar	No
106-2	Class Size	No
106-3	Admission and Attendance	No
106-4	Dress Code and School Uniforms	No
106-5	Student Instructional Hours and School Year Requirements and Waiver Process	No
E-200	Staff Success	No
E-201	High Performing Employees	No
201-1	Ethics and Code of Conduct	Yes
201-2	Accountability of Employees	No
201-3	Collective Bargaining	Yes
201-4	Leaves of Absence	No
E-202	Highly Effective School Administration (Strong, Visible School Leadership)	No
202-1	School Leadership	No
202-2	School Year for Principals	No

Policy #	Policy	Applicable to Charter Schools?
202-3	School Year for Vice Principals	No
202-4	Principal Performance Evaluation	No
E-203	Highly Effective Teaching	No
203-1	Duties and Responsibilities of Teachers	No
203-2	Developmentally-Appropriate Teaching Strategies	No
203-3	Guidance Regarding Student Rights and Disciplinary Practices	No
203-4	Teacher Performance Evaluation	No
203-5	Substitute Teachers	No
E-204	Hiring, Training and Retention of Employees	No
204-1	Teacher Recruitment, Retention, and Employment	No
204-2	Educational Officer Appointment and Probation	No
204-3	Personnel Development	No
204-4	Employee Certification	No
204-5	Compensation and Classification	No
204-6	Department of Education Housing	No
204-7	Department of Education New Employee Orientation Program	No
204-8	Department of Education Employee Dress Code	No
204-9	Strike Situation	No
204-10	Personnel Relations	No
204-11	Student Teachers from Out-of-State Universities	No
E-300	Effective Systems of Support	No
E-301	Facilities and Technology	No
301-1	Facilities Standards	No
301-2	Creating Communities of Learners	No
301-3	Use of School Buildings, Facilities and Grounds	No
301-4	School Lavatories	No
301-5	Use of School Equipment	No
301-6	Internet Use	No
301-7	Employee Electronic Communication and Technology Use and Access	No
301-8	Naming of Schools and School Facilities	No
301-9	Sustainability	No
E-302	Transportation	No
302-1	Student Transportation	No
E-303	Financial Systems, Business Processes and Organizational Resources	No
303-1	Department of Education Budgets	No
303-2	Department of Education's Budget Public Input Required	No
303-3	Department of Education Program Evaluations	No
303-4	Federal Funds	No
303-5	Capital Improvement Program	No
303-6	Carryover Funds	No
303-7	Personal Services Contracts	No

Policy #	Policy	Applicable to Charter Schools?
303-8	Real Estate Transaction	No
303-9	Collecting Third-Party Dues and Assessments	No
303-10	Fee for Service	No
303-11	After School Plus (A+) Fees	No
303-12	Commercialism	No
303-13	Sale of Merchandise	No
303-14	Inventory	No
303-15	Disposals/Transfers	No
E-304	Communications (Family and Community Engagement)	No
304-1	E Komo Mai	No
304-3	Open Communication	No
304-4	Department of Education Data information Availability and Access	No
304-5	Public Complaints	No
E-305	Safe Schools, Safe Students	No
305-1	Student Safety and Welfare	No
305-2	Safe workplace	No
305-3	Safe Schools	No
305-4	Use of Force	No
305-5	Cooperation with Law Enforcement Agencies	No
305-6	Closing Schools in the Event of Disaster and/or other Emergencies	No
305-7	Alcohol and Illicit Drug Use	No
305-8	Youth Gangs	No
305-9	Practice of Hazing Students	No
305-10	Anti-Harassment, Anti-Bullying, and Anti-Discrimination Against Student(s) by Employees	No
305-11	Classroom and Laboratory Safety	No
E-400	Board of Education Governance	No
400-1	Board of Education Roles and Responsibilities	No
400-2	Policies and Policy-Setting	Yes
400-3	Implementation of Board of Education Policy	No
400-4	Budget Restrictions and Reductions	No
400-5	Public Board of Education	No
400-6	Involvement of School Advisory Councils, Library Advisory Commission and Hawaii State Student Council	No
400-8	Board of Education Student Member Selection	No
E-500	Department of Education	No
500-1	Organization of the Department	No
500-2	Plan of Organization	No
500-3	Employment of the Superintendent of Education	No
500-4	Duties and Responsibilities of Superintendent	No
500-5	Evaluation of the Superintendent of Education and the State Librarian	No
500-6	Salaries of Subordinate Superintendents	No

Policy #	Policy	Applicable to Charter Schools?
500-7	Temporary Assumptions of the Superintendent's Office Due to Absence or Illness	No
500-8	Accreditation of Schools	No
500-9	Establishment of Complex Areas	No
500-11	School Attendance Areas	No
500-12	Geographic Exceptions to the Mandatory School Attendance Law	No
500-14	Pre-Kindergarten and Kindergarten	No
500-16	Middle Level Education	No
500-17	High School Education	No
500-18	Summer School Programs	No
500-19	School Community Councils	No
500-20	School Community Council Waivers and School Community Council Exceptions	No
500-21	Student Information and Confidential Records	No
500-22	School Visitations by Non-School Personnel	No
500-23	Solicitations by Department Personnel and Students	No
500-24	Opening and Closing Hours of School	No
500-25	Establishment of Articulated School Complexes	No
500-26	New Student Orientation	No
500-27	Multi-Track Year-Round Education	No
E-600	Libraries	No
600-1	Hawaii State Public Library System Collection Development	No
600-2	Hawaii State Public Library System Budgets	No
600-3	Hawaii State Public Library System Safe Workplace	No
600-4	Naming of Hawaii State Public Library Facilities	No
600-5	Hawaii State Public Library System Internet Acceptable Use	No
600-6	Access to Hawaii State Public Library System Facilities	No
600-7	Hawaii State Public Library System Wireless Security Disclaimer and Use	No
E-800	Adult Education	No
800-1	Content Standards for Adult Community Schools	No
E-900	Legal Requirements, Implementation and Limitations	Yes
900-1	Department of Education Applicant and Employee Non-Discrimination	No
900-2	Copyright	No
900-3	Religion and Public Schools	No
900-4	Gender Equity in Education	No
900-5	Rights of Students Who Are Deaf, Hard of Hearing, or Deaf-Blind	No
900-6	Student Rights and Due Process	No
8300	Board Appointment of Charter School Review Panel Members*	Yes*

*Board Policy 8300 is a carryover policy from the old numbering system. The Board has not yet revised this policy to reflect current law (as the Charter School Review Panel was repealed in 2012).