



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

January 10, 2020

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
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



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

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 2019. 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 2020 Legislature.

REPORT

This is the eighth 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, the status of charter school facilities funding and the implementation of Act 234, SLH 2015¹, and 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

Charter school purpose policy. The Board reported last year that it was in the midst of developing a Board policy codifying the purpose of charter schools. At its May 16, 2019, general business meeting, the Board adopted Board Policy E-700, entitled "Public Charter Schools," based on the opinions and perspectives of various stakeholder groups gathered through a public survey and in consideration of public comments.² This report describes more details about the applicability of this policy to charter schools in section (8) of this report below.

Initial implementation of multiple charter school authorizer system. The past two years' reports 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. The Board reported last year that it had not made much progress on the development the key documents due to other Board priorities taking precedent.

The Board is pleased to report that it has made significant progress in the implementation of Chapter 8-515, HAR. At its May 2, 2019 general business meeting, the Board adopted an application for chartering authority, authorizing contract, and

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 More information about the background and development of Board Policy E-700 is contained in Board Chairperson Catherine Payne's memorandum dated May 16, 2019 here: http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/GBM_20190516_Action%20on%20Board%20Policy%20E-700%20Public%20Charter%20Schools.pdf.

authorizer performance evaluation system.³ While the State (the Board, Legislature, and other agencies) will need to resolve several issues borne from a charter school system that allows multiple authorizers to exist, the Board believes the initial implementation of this system will help to identify some of these issues.

On May 17, 2019, the Board released its inaugural notice inviting applications for chartering authority from eligible entities interested in becoming authorizers. The Board received two intent to apply packets, but only one of the two interested entities actually submitted an application. As of this writing, an evaluation team is reviewing the application, and it will make a recommendation to the Board's Student Achievement Committee. The Board will decide whether to approve or deny the application for chartering authority at its February 20, 2020 general business meeting. The Board looks forward to reporting the results of its inaugural application for chartering authority cycle in next year's annual report.

Fiscal stability. For the 2018-2019 fiscal year, the State Public Charter School Commission (the "Commission"), currently the sole charter school authorizer in Hawaii, assessed the financial performance of all 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 four charter schools out of the 37 assessed received risk ratings lower than "acceptable," illustrating that the majority of charter schools remain fiscally sound.⁴ The results suggest that the financial status of charter schools, as a group, continues to be relatively stable. Note, however, that fiscal stability is likely more indicative of sound fiscal management by the majority of charter schools rather than the sufficiency of funding for charter schools. 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.

Last year, the Board reported that the Commission still had not adopted finalized criteria to determine the distribution of facilities funds, as required by HRS §302D-29.5, and the Board urged the Commission to complete and adopt the facilities funding criteria. Since then, the Board is encouraged to see that the Commission adopted a charter school facilities funding framework with criteria to determine the distribution of facilities funds.⁵ The Board again recommends that the Legislature provide some form of facilities

³ More information about the background and development of the application for chartering authority, authorizing contract, and authorizer performance evaluation system is contained in Student Achievement Committee Chairperson Margaret Cox's memorandum dated May 2, 2019 here: http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/GBM_20190502_Action%20on%20multiple%20charter%20school%20authorizer%20system%20documents.pdf.

⁴ The Commission's 2018-2019 annual report is available on its website here: <http://www.chartercommission.hawaii.gov/reports>. See page 36 for the financial performance framework results.

⁵ Commission 2018-2019 annual report, pages 290-292.

funding to charter schools to address this unmet need, especially now that the required criteria are in place.

Centralized support. As reported for the past two years, 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 supports, and it even reorganized its structure to “support charter schools within the Commission’s portfolio through a System of Support.”⁶ However, the Commission’s 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.⁷ In addition, the approval of another authorizer without a non-authorizer centralized support agency would add complexity to the charter school system and expose it to potential conflicts of interests, fairness and equity issues, and unnecessary inefficiencies.⁸ While the Board still does not have a specific recommendation to resolve this issue (as other priorities have taken precedent, including the implementation of the multiple authorizer system), it urges the Legislature to consider changing statute to include some kind of centralized support for charter schools.

AREAS FOR IMPROVEMENT

Continued implementation of multiple charter school authorizer system. As noted above, the Board made significant progress in the implementation of Chapter 8-515, HAR, since its last annual report. Still, the State has much work to do to create a charter school system that can support more than one authorizer. The issue of centralized support for charter schools noted above directly connects to a comprehensive multiple authorizer system. Further, the Board still has to develop an application form and process for charter transfers to implement Chapter 8-517, HAR, but the Board may want to consider amending its administrative rules first to address some previously raised issues, such as the transfer of funds between authorizers when a charter school transfers.

An even more fundamental issue raised in public comments during the development of the key documents to implement Chapter 8-515, HAR, is funding for authorizers other than the Commission. Nationally, funding structures for authorizers generally fall into three categories: (1) budget allocations from authorizers’ parent organizations, (2) state budget appropriations, or (3) fees from authorized charter schools.⁹ The first option does not require a statutory change but makes it difficult for another authorizer to exist because an authorizer (other than the Commission) would need to rely on sources of

⁶ Commission 2018-2019 annual report, pages 17-19.

⁷ Pursuant to HRS §302D-5(g), the Commission “shall not provide technical support to a prospective charter school applicant, an applicant governing board, or a charter school it authorizes in cases in which the technical support will directly and substantially impact any authorizer decision related to the approval or denial of the charter application or the renewal, revocation, or nonrenewal of the charter contract.”

⁸ 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.

⁹ National Association of Charter School Authorizers. “Charter School Authorizer Funding,” July 2009. Accessed November 14, 2019 at <https://files.eric.ed.gov/fulltext/ED544285.pdf>.

funds outside of the state budget in perpetuity to execute a state function. The second option can be done year to year without a statutory change through line-item state funding or grants-in-aid, but it would be more ideal to have statutory language putting other authorizers on equal footing as the Commission in terms of source of funding. The third option would require a statutory change, but it has more significant systemic downsides than the other two options, including placing financial burden on charter schools within those authorizers' portfolios and incentivizing authorizers to approve or keep open charter schools that should not be operating. A hybrid model combining different structures is also an option, but the Board recommends further analysis before taking action to change policy.

The Board hopes to report more progress on finding a resolution to some of these issues and the continued implementation of a comprehensive multiple authorizer system next year. In the meantime, the Board encourages the Legislature and other major stakeholders to analyze and discuss approaches to funding for authorizers.

Other issues. Stakeholders and the public have raised other charter-school-related issues that the Board has not yet examined but feels important enough to record in this report. These concerns include inadequacies in charter school students' ability to participate in sports and other elective or extracurricular opportunities provided by the Department and difficulties teachers face when transitioning between Department schools and charter schools.

(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.

In its report this year, the Commission notes that its efforts have "resulted in increased communication and collaboration with multiple state agencies" and that its collaboration with the Department in particular has "resulted in significant improvements in efficiency and accountability through implementation of effective procedures for the draw-down of federal funds." In addition, the Commission reports that it "continues to strengthen its communication and collaboration with [the Department of Budget and Finance] and [the Department of Accounting and General Services] to clarify the Commission's responsibilities ... pertaining to budget requirements and charter school funding management."¹⁰

Based on the Commission's report, the Board does not currently have any concerns regarding equity or 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.

¹⁰ Commission 2018-2019 annual report, page 44.

As noted above, the Commission adopted a charter school facilities funding framework with criteria to determine the distribution of facilities funds.¹¹ The Commission's framework includes a process for soliciting and evaluating applications for facilities funding. Charter schools with virtual education as the primary method of delivering core subject instruction or with school facilities already paid for by the State are ineligible to apply.

The criteria for prioritizing applications for facilities funding include:

- Needs of the charter school, such as the existence of substandard facilities, other equity and adequacy needs, and issues of health, safety, and legal compliance;
- Overall benefit to its surrounding community, such as overcrowding relief for Department schools or providing options for families whose Department school is low performing;
- Amount of risk and availability of recourse to the State;
- Whether the charter school received facilities funding through other state funding;
- School facilities located on State property or under an agreement whereby the State controls the property with at least 20 years remaining; and
- Title I status.

The Charter School Facilities Funding Working Group has not yet used the criteria described above to allocate facilities funding because the Legislature has not yet appropriated general funds or issued bond authorization to charter schools for facilities, pursuant to HRS §302D-29.5.

(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 was the adoption of new Board Policy E-700, entitled "Public Charter Schools," as mentioned earlier in this

¹¹ Commission 2018-2019 annual report, pages 290-292.

report. The plain language of Board Policy E-700 makes it clearly applicable to all charter schools. In addition, Chapter 8-515, HAR, Board Policy E-700 applicable to charter school authorizers as well.

FUTURE ACTIONS

The Board will continue to implement components of the multiple authorizer system, including making a decision on its first application for chartering authority. The Board will also continue to examine and address other pieces necessary for a comprehensive multiple authorizer system, and the Board encourages the Legislature to consider some kind of centralized support system or structure. The Board is pleased with the Commission's adoption of criteria to determine the distribution of facilities funds, and importantly, the Board again urges the Legislature to provide facilities funding to address the issue of long-term financial stability and equity, which has been a clear issue in each of the Board's eight annual reports.

Exhibit A – Summary of Fiscal Year 2018-2019 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 2018-2019
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.	\$5,997,275
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.	\$652,888
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.	\$110,691
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.	\$2,519,440
ESSA Title I – Centralized LEA	Grant is to provide all children significant opportunity to receive a fair, equitable, and high-quality education and to close educational achievement gaps.	\$1,294,588

Exhibit A – Summary of Fiscal Year 2018-2019 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 2018-2019
ESSA Title I LEA Grant-School Improvement	Grant provides supplemental services and supports to Priority, Focus, and low performing schools.	\$2,955,256
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.	\$182,500
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.	\$7,259
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.	\$27,269
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.	\$-8,409
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.	\$22,853

Exhibit A – Summary of Fiscal Year 2018-2019 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 2018-2019
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.	\$9,270
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.	\$178
Title VIB Special Education Project I (IDEA)	Grant provided special education and related services to eligible students in accordance with federal regulations. 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.	\$553,350
Title VIB Special Education Project II (IDEA)	Grant provided special education and related services to eligible students in accordance with federal regulations.	\$8,939
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.	\$376
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

Exhibit A – Summary of Fiscal Year 2018-2019 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 2018-2019
ESSA 21 st CCLC – SY 2018-2019	Grant to provide academic enrichment opportunities during non-school hours for students that focus on opportunities for academic enrichment, including tutorial services in core academic subjects; an array of additional services, programs, and activities, such as youth development and violence prevention programs; and opportunities for family literacy and other educational development.	\$27,320
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.	\$32,594
Vocational Education – Program Improvement FY19	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 SY18-19 CTE one-year plans that have been submitted and approved.	\$808
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 SY18-19 CTE one-year plans that have been submitted and approved.	\$6,199
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.	\$70,000

Exhibit A – Summary of Fiscal Year 2018-2019 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 2018-2019
DHHS-Project HI AWARE	Grant works both within the HIDOE and with community partners to build cross-system capacity for comprehensive approaches to school based behavioral health. Through inter-agency collaboration and commitment, grant funding will support coordination and integration of mental health interventions across service systems (education, mental health, juvenile justice and law enforcement) both at the state level and within three identified complex areas: Kau-Keaau-Pahoa, Leilehua-Mililani-Waialua, and Nanakuli-Waianae.	\$190
Total		\$14,489,709

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

As of 11/14/2019

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-700	Public Charter Schools	Yes
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).