

DAVID Y. IGE
GOVERNOR



JOHN S.S. KIM
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

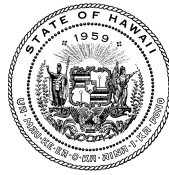
FOR: SB 814 SD1 Relating to Education
DATE: March 16, 2021
TIME: 3:00 P.M.
COMMITTEE: Committee on Education
ROOM: Conference Room 309
FROM: Yvonne Lau, Interim Executive Director
State Public Charter School Commission

Chair Woodson, Vice Chair Kapela, and members of the Committee:

The State Public Charter School Commission (“Commission”) appreciates the opportunity to submit this testimony and provides **COMMENTS on SB 814 SD1** which clarifies the process for applicants to apply to open and operate a charter school. Provides for penalties for authorizers who fail to timely comply with board decisions.

The Commission would like to suggest the following amendment to this measure- remove, in its entirety, the proposed Section 302D-12(c)(3) on page 6 (lines 8 through 18). The Commission believes this will address the concerns raised in the proposed bill and simplifies the charter school application process altogether by allowing all interested charter school applicants to submit a new charter school application for review and evaluation.

Thank you for the opportunity to provide this testimony.



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

House Committee on Education

Tuesday, March 16, 2021
2:00 p.m.
Via Videoconference
Hawaii State Capitol, Room 309

Senate Bill 814, Senate Draft 1, Relating to Charter Schools

Dear Chair Woodson, Vice Chair Kapela, and Members of the Committee:

The Board of Education ("Board") appreciates the intent of SB814 SD1 but has comments. SB814 SD1 would allow the Board to impose penalties on authorizers who fail to timely comply with Board decisions, among other things.

The Board generally supports measures that would ensure meaningful yet reasonable accountability of charter schools and their authorizers.

While the Board appreciates the intent of the proposed amendments to HRS §302D-15(b), we respectfully note that they are unnecessary at this time as the Board already has mechanisms to hold authorizers accountable to its decisions. For example, the Board could remove members from the State Public Charter School Commission for cause, pursuant to HRS §302D-3(h), and willful neglect to comply with the Board's orders could certainly constitute cause.

Thank you for this opportunity to testify on behalf of the Board.

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

Very truly yours,

Catherine Payne
Chairperson, Board of Education
Chairperson, 2021 Legislative Ad Hoc Committee

March 15, 2021

Aloha and mahalo for the opportunity to provide testimony in support of SB 814.

As a founding board member of the IMAG Academy applicant group which submitted a charter school application for 5 straight years (2013-2018), I am keenly aware of the process and do not wish our journey on anyone. I believe SB 814 provides a positive change, especially eliminating the prohibition of commission support during the application process. These changes will create a more transparent and equitable process and a supportive authorizing organization for those committed to creating a more diverse and individualized educational environment for our youth and their families.

Background: The IMAG Academy received a 3 year implementation grant of \$750,000 from the US Department of Education in 2015-16, the only one of nine to earn a grant that had not yet received their state charter approval. Our grant request was based solely on our 2014-15 Hawaii Charter School application.

As importantly, upon our state disapproval, each year we reviewed our write-ups, other approved applications, spoke with current charter school administrators, and strengthened our processes, systems, and board members. We continued to reach out to the community through over 30 events and garnered 400+ signatures in support of our approval and returned with a more concise and stronger application. With changing write-ups and unclear underlying reasons from the application reviewer's "do not approve" recommendations, we were unable to understand how we could improve our application and garner the approval of the Commissioners. This forced us to have to lose the \$750,000 grant earmarked for youth and families within the Waipahu and leeward area.

I believe a more transparent and supportive authorizer would have resulted in IMAG Academy receiving its approval and more than 700 youth and their families per year finding a home at IMAG Academy.

Sheila Buyukacar
IMAG Academy
Founding Board Member

SB-814-SD-1

Submitted on: 3/15/2021 4:24:06 PM

Testimony for EDN on 3/16/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chelsie Evans	Individual	Support	No

Comments:

This application process seems to navigate more on technical aspects versus community need and the ability for a group to provide data driven processes that have a strong hold on high level delivery. Even those technical aspects can be identified to not have a strong backing of being available to applicants as aspects that are required. I hope this Senate can identify this issue as barrier to the students who really need more realms of education paths then what is currently offered. Many of those students at a loss due to this technical issue are Hawaii's most vulnerable keiki.

Even if Maui Hui Malama has been a strong DOE support for almost 50 years, we are not asking for a free pass to an approved charter. What we are asking for is a honest, transparent, and ethical process that doesn't shut down the possibility to change thousands of student's lives due to technicalities which can be looked at as created and delivered by choice of the management of this application process. We strongly support bills SB 814, and feel this is a need to deliver the schools the our keiki here in Hawaii deserve. We also hope that this bill helps the Charter School Commission to stop vilifying non profit organizations and assuming that we are working towards applications just to receive funding from the DOE. There is a lot of hard work and unpaid time that we put in to create a learning space. Yvonne Lau's comments about non profits have a bad reputation and not being trusted community partners is not the way we build strong futures for out youth.

I know that we are all in difficult times during our world's pandemic, and we appreciate you still working diligently in supporting Hawaii's students. I look forward seeing these bills passed in addition to:

" (4) A nonprofit organization may:

(A) Establish an applicant governing board that [~~is separate from the nonprofit organization~~] operates separately from, but may have similar members with, its nonprofit organization, and develop a charter application for a start-up or conversion

charter school; [or] provided that the members of the applicant governing board shall not constitute the majority of members from the nonprofit organization; or”

Sincerely,

Chelsie Evans

Maui Hui Malama

Executive Director

(808)244-5911

chelsie@mauihui.org

SB-814-SD-1

Submitted on: 3/15/2021 8:19:45 PM

Testimony for EDN on 3/16/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaimi	Individual	Support	No

Comments:

March 15, 2021

Aloha Chair Woodson & Education Committee,

I am in support of SB 814. I am not able to give live testimony on zoom today because of timing, but I am submitting written testimony. I am in support of SB 814, the process for applicants needs to be better, many applicants are highly qualified, professional, and driven to make Hawaii better and they have the skills and training to open and operate a charter school. Since Hawaii only has one authorizer it has been a stressful experience for many applicants and has deterred highly quality schools from opening. With the current holding pattern with the DOE and the current educational system, charter schools have been a good example of innovation for mainstream education to follow. We feel the stress like many other applicants that the process is truly not set up for success for groups who have solid applications.

The past cycle is a clear example that the law and the commission staff have failed to allow many applicants through the door. The state of Hawaii can benefit if there are more options for groups to be able to get approved. The goal for many groups who are giving testimony here and those who have applied in the current cycle has always been to provide high-quality schools. For our group, we have been in this process for about 10 years. We applied under the previous structure called the Detailed Implementation Plan. That process almost allowed us to receive a charter, unfortunately, our group was 7 points away from approval. We believe that the process has become more restricted and more problematic for good schools to open. The second time we applied we received access to put a full application in, but we decided not to after realizing we only had 1 month to submit the full application. This is our third time, and we are in this situation, we were denied but we are now in a holding pattern. We are hoping together you can make changes that can benefit applicant groups but more so benefit the CHILDREN of Hawaii.

Finally, we feel this bill will hold us and the commission staff accountable for this process and this more positive structure as we move forward. I am just one of many who feel at this time the state and the legislators like you can make a difference and change the process and provide a process more conducive to all groups. Hopefully, in the future, the legislature will create and approve more authorizers that can really give

groups an opportunity to provide education that is innovative, creative, and truly high-quality. With that said, the states only authorizer should be more accountable, and they failed, and they should have some type of penalty for not compiling with the Board of Education, like have oversight on the process,

Mahalo,

Kaimi Kaupiko

Miloli'i Charter Applicant Group

808.937.1310

SB-814-SD-1

Submitted on: 3/16/2021 10:49:54 AM

Testimony for EDN on 3/16/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Murat Arabaci	Kulia Academy	Support	No

Comments:

We support SB 814. In addition, following change would be helpful. Mahalo for your consideration!

Currently, applicant groups may not ask any clarifying questions to the Charter School Commission because the charter school law is interpreted to prohibit answering any questions. The Commission can decide whether a question falls into the category of “technical assistance” or clarification of a point that is not clear to the applicant group. We need help from lawmakers that the charter school law does not prohibit authorizers from answering clarifying questions.