

STAND. COM. REP. NO. 161

Honolulu, Hawaii
FEB 11 , 2021

RE: H.B. No. 1220
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 1220 entitled:

"A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the appointing authority for members to the Charter School Commission;
- (2) Allow governing boards of postsecondary institutions and county and state agencies to authorize public charter schools; and
- (3) Clarify the charter application notice requirements and authorizer compliance requirements in cases of an appeal.

Your Committee received testimony in support of this measure from the Waimea Middle Public Conversion Charter School, Kulia Academy, West Hawaii Explorations Academy, Ke Ana La'ahana Public Charter School, and numerous individuals. Your Committee received comments on this measure from the State Public Charter School Commission.



Your Committee finds that this measure will improve and streamline the process for the authorization of public charter schools by clarifying the charter application notice requirements and authorizer compliance requirements in cases of an appeal to allow for charter school applicants to more easily correct any errors in their applications.

Your Committee has amended this measure by:

- (1) Restoring the Board of Education as the sole appointing authority of the Charter School Commission;
- (2) Removing the authority for the governing boards of public and private postsecondary institutions and county and state agencies to authorize public charter schools;
- (3) Retaining the provision requiring an authorizer to not provide technical support to a prospective charter school applicant, an applicant governing board, or a charter school it authorizes in cases where the technical support will impact decisions related to the approval or denial of the charter application or renewal, revocation, or nonrenewal of the charter contract;
- (4) Allowing the staff of an authorizer to provide technical support to a prospective charter school applicant or an applicant governing board during the application process and review process, and to provide assistance in the completion of an incomplete application;
- (5) Clarifying that the charter school application process and schedule shall include criteria that will guide the authorizer's decision to approve or deny a charter application;
- (6) Removing the provision granting the approval of a charter school application if no written decision is provided by the final date by which the application is to be approved or denied by an authorizer;
- (7) Removing the requirement that an authorizer shall act in accordance with the Board of Education's decision to appeal regarding the appeal of decisions by the

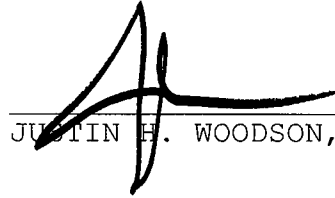


authorizer to deny the approval of a charter application, deny renewal of a charter contract, or revoke a charter school's contract and the accompanying penalties for failure to comply with the decision of the Board;

- (8) Removing the provision allowing an eligible authorizer to be designated as a charter school's authorizer in cases where the Board of Education overrules a denial or revocation by the charter school's initial authorizer;
- (9) Changing its effective date to July 1, 2050; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1220, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1220, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Education,



JUSTIN H. WOODSON, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

H SR 161

Record of Votes of the Committee on Education

Bill/Resolution No.: HB 1220	Committee Referral: EDN, JHA, FIN	Date: 2/4/2021		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EDN Members	Ayes	Ayes (WR)	Nays	Excused
1. WOODSON, Justin H. (C)	✓			
2. KAPELA, Jeanne (VC)	✓			
3. BELATTI, Della Au	✓			
4. DeCOITE, Lynn	✓			
5. GANADEN, Sonny	✓			
6. GATES, Cedric Asuega	✓			
7. HASHIMOTO, Troy N.	✓			
8. OHNO, Takashi				✓
9. QUINLAN, Sean	✓			
10. TAKAYAMA, Gregg	✓			
11. YAMANE, Ryan I.	✓			
12. OKIMOTO, Val		✓		
TOTAL (12)	10	1		1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				