

---

---

# HOUSE RESOLUTION

URGING THE STATE PUBLIC CHARTER SCHOOL COMMISSION TO WORK WITH  
STAKEHOLDERS TO DEVELOP AND ADOPT ADMINISTRATIVE RULES,  
INCLUDING RULES GOVERNING THE NEGOTIATION PROCESS BETWEEN  
THE COMMISSION AND PUBLIC CHARTER SCHOOLS.

1           WHEREAS, charter schools were created as catalysts of  
2 change and to offer more choices in education for Hawaii's  
3 unique communities; and

4  
5           WHEREAS, the Legislature passed Act 62, Session Laws of  
6 Hawaii 1999, which increased flexibility and autonomy at the  
7 school level by allowing existing public schools and new schools  
8 to be designated as new century charter schools; and

9  
10           WHEREAS, 2024 marks the 25th anniversary of Act 62, Session  
11 Laws of Hawaii 1999, which paved the way for the establishment  
12 of charter schools in the State; and

13  
14           WHEREAS, existing state law allows the State Public Charter  
15 School Commission (Commission) to adopt rules to administer and  
16 implement state laws regarding public charter schools; and

17  
18           WHEREAS, existing state law requires the Commission to  
19 negotiate and execute sound charter contracts with each approved  
20 charter applicant and with existing public charter schools; and

21  
22           WHEREAS, although existing state law provides the Board of  
23 Education with the power to decide appeals of decisions by the  
24 Commission to deny the approval of a charter application, deny  
25 renewal of a charter contract, or revoke a charter school's  
26 charter contract, there is no appeals process for a complaint;  
27 and

28  
29           WHEREAS, in Honolulu Civil Beat's article, *Hawaii Charter*  
30 *Schools Say Test Scores Don't Tell The Whole Story*, the 2023  
31 Interim Executive Director of the Commission stated that "the



1 Commission...has the responsibility of holding charter schools  
2 accountable to their governing contracts," however, "[i]n a 2021  
3 review, the Board of Education called on commissioners to  
4 provide more clarity about their expectations for schools'  
5 academic performances"; and

6  
7 WHEREAS, the Honolulu Civil Beat article, *Charter School*  
8 *Oversight Is Still A Source of Contention In Hawaii*, discussed a  
9 note by a Deputy Attorney General for Hawaii Public Charter  
10 Schools that "[one] contract states that the commission is not  
11 required to allow a school to remedy a problem before revoking  
12 its charter...[and] appeared to violate charter schools' right  
13 to due process"; and

14  
15 WHEREAS, given the significant milestone of the 25th  
16 anniversary since Act 62, Session Laws of Hawaii 1999, was  
17 passed, it is long overdue for charter schools to be provided a  
18 more defined system of negotiating with the Commission; now,  
19 therefore,

20  
21 BE IT RESOLVED by the House of Representatives of the  
22 Thirty-second Legislature of the State of Hawaii, Regular  
23 Session of 2024, that the State Public Charter School Commission  
24 is urged to work with the Board of Education, public charter  
25 schools, and advocacy organizations, including the Hawaii Public  
26 Charter Schools Network, to develop and adopt administrative  
27 rules, including rules governing negotiations between the  
28 Commission and public charter schools; and

29  
30 BE IT FURTHER RESOLVED that in developing the  
31 administrative rules, the State Public Charter School Commission  
32 consider providing an appeals process before the Board of  
33 Education for addressing complaints regarding the Commission's  
34 execution of administrative rules, including rules governing  
35 negotiations; and

36  
37 BE IT FURTHER RESOLVED that certified copies of this  
38 Resolution be transmitted to the Chairperson of the Board of  
39 Education; Executive Director of the State Public Charter School  
40 Commission; and Chair of the Board of Directors of the Hawaii  
41 Public Charter Schools Network.

