
A BILL FOR AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that public charter
2 schools and their authorizers play a vital role in Hawaii's
3 public education system.

4 The purpose of this Act is to authorize public charter
5 schools to appeal directly to the board of education on matters
6 that materially affect the school's operation, governance, or
7 funding.

8 SECTION 2. Section 302D-15, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§302D-15 Appeals; charter applications, renewals, or**
11 **revocations.** (a) The board shall have the power to decide
12 appeals of decisions by an authorizer to deny the approval of a
13 charter application, deny renewal of a charter contract, or
14 revoke a charter school's charter contract. An appeal shall be
15 filed with the board within twenty-one calendar days of the
16 receipt of the notification of denial or revocation. Only a
17 party whose charter application has been denied, whose charter



1 contract renewal has been denied, or whose charter contract has
2 been revoked may initiate an appeal under this section for
3 cause. The board shall review an appeal and issue a final
4 decision within sixty calendar days of the filing of the appeal.

5 (b) Any public charter school shall be entitled to
6 initiate an administrative appeal directly to the board on
7 matters regarding adverse action taken by a charter school
8 authorizer or any decision within the jurisdiction of the board
9 that affects the school's operation, governance, or funding;
10 provided that a public charter school shall not be entitled to
11 appeal to the board on matters regarding negative performance
12 reviews, or non-renewal decisions except in cases where the
13 authorizer alleges procedural errors, statutory violations, or
14 lack of compliance with contractual obligations related to the
15 non-renewal or revocation decision.

16 ~~[(b)]~~ (c) The board shall serve as the final arbitrator of
17 appeals authorized by ~~[subsection]~~ subsections (a) ~~[-]~~ and (b).

18 ~~[(c)]~~ (d) [A] Except as otherwise provided in subsection
19 (b), a party shall not be entitled to a hearing before the board
20 under this section until it has exhausted all available
21 administrative remedies.



1 [~~(d)~~] (e) The board shall adopt rules pursuant to chapter
2 91 to implement this section."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Charter Schools; BOE; Appeals

Description:

Authorizes public charters schools to appeal directly to the Board of Education on matters regarding the schools' operations, governance, or funding, with certain exceptions. Effective 7/1/3000. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

