

ACT 85

S.B. NO. 2382

A Bill for an Act Relating to Public Charter Schools.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 302D-35, Hawaii Revised Statutes, is amended to read as follows:

~~“[§302D-35]~~ **Use of vacant department facilities.** (a) When any department considers whether to close any particular facility, it shall give reasonable consideration to making all or portions of the facility available to public charter schools and early learning programs that are affiliated with a public charter school.

(b) Each department shall provide notice to the superintendent and state public charter school commission identifying suitable unused facilities that may be appropriate for:

- (1) Public charter schools; and
- (2) Early learning programs, including the pre-plus program, that are affiliated with a public charter school.

The department of accounting and general services shall inventory the suitable facilities, and, in determining suitability for educational reuse, priority shall be given to facilities on sites with sufficient space for three or more classrooms.

(c) The department of accounting and general services shall conduct biennial surveys of all departments concerning any unused facilities, or in the case of the department of education any under utilized department schools, that meet the conditions under subsection (b) and maintain an inventory of all such unused or under utilized facilities. The department of accounting and general services shall provide biennial reports on the inventory maintained under this subsection to the state public charter school commission.

~~[(e)]~~ (d) The department of accounting and general services shall adopt rules pursuant to chapter 91 necessary to carry out the purposes of this section.

ACT 85

~~[(d)]~~ (e) For purposes of this section, “department” means all of the departments listed in section 26-4.

~~[(e)]~~ (f) Upon receipt of a notice pursuant to subsection (b), the state public charter school commission shall:

- (1) Solicit applications from public charter schools or early learning programs that are affiliated with a public charter school, respectively, that are interested in using and occupying all or portions of the facilities; and
- (2) Submit a prioritized list of public charter schools or early learning programs that are affiliated with a public charter school, respectively, to the department of accounting and general services for final determination of which public charter schools or early learning programs that are affiliated with a public charter school, if any, shall be authorized to use and occupy the facilities.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 2018.

(Approved June 29, 2018.)