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STATE OF HAWAII  
STATE PUBLIC CHARTER SCHOOL COMMISSION  
(‘AHA KULA HO‘ĀMANA)

## MINUTES OF THE JULY 14, 2022 GENERAL BUSINESS MEETING

**Physical Location:** 1164 Bishop Street, Suite 1100, Honolulu, HI 96813 and **Online:** via Zoom

### PRESENT INPERSON

Makalapua Alencastre (Vice Chairperson)  
Carl Takamura

### PRESENT ONLINE

Shannon Cleary  
Kama Hopkins  
Terry Holck (arrived at 9:03 a.m.)  
Cathy K. Ikeda (Chairperson)

### EXCUSED

Jill Baldemor  
Alex Harris  
Matthew Kodama

### ALSO PRESENT

Yvonne Lau, Interim Executive Director  
PJ Foehr, Interim Deputy Director  
Danny Vasconcellos, Finance & Operations Director  
Deanne Goya, Early Learning Program Director

#### I. Call to Order

Commission Chair Cathy Ikeda called the meeting to order at 9:00 a.m. She went over the meeting protocols, conflict of interest policy, and conducted roll-call attendance (Present Commissioners Alencastre, Cleary, Hopkins, Ikeda, and Takamura). Commissioner Terry Holck arrived at 9:03 a.m. There were no conflicts of interest stated by Commissioners.

#### II. Public Testimony on all Agenda Items<sup>1</sup>

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<sup>1</sup> *The Commission accepted public testimony on all agenda items at the beginning of the meeting and*

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John Thatcher, Community Member, provided testimony on agenda item IV. He congratulated the new Commission leadership, welcomed the new members, and shared hope in working with the Commission. He referenced the meeting protocol announcement and felt that was ironic since the Commission violated Sunshine Law. He referenced his complaint regarding the action taken to investigate Kamalani Academy when it was not on the agenda. He discussed the Commission taking an oath to uphold the law which includes the Sunshine Law. He shared hope that things would change.

Terri York, Parent and Educator, provided testimony on agenda item VIII. She shared her experience as a parent whose children participated in virtual and blended learning and as an educator. She discussed the proposed recommendation regarding the definition of virtual learning and requirement of synchronous learning. She felt that requiring synchronous learning would stunt students' learning and provided examples that included conflicts with college classes, professional athletic commitments, work, and for students that require flexible schedules due to personal reasons. She requested that the definition of virtual in the Learning Environments section remove 'blend' and add 'and/or' to read: *Virtual: An online environment that incorporates a developmentally appropriate ~~blend of~~ synchronous and/or asynchronous instruction.* She felt that change would be essential to support all students.

John Thatcher provided testimony on agenda item VIII. He shared his disappointment that the law was not being followed. He cited and read §302D-12(f), Hawaii Revised Statutes (HRS), regarding the governing board's oversight. He shared confusion as to why it's not a part of the discussion and that the Commission cannot make administrative rules as it would also break the law. He stated the charter school's Deputy Attorney General (DAG) shared agreement with the Commission and felt uncertain on how that happened. He added that it has been a point of contention with the charter schools. He does not understand how the Commission does not follow the law but enforces charter schools when they do not follow the law.

Nicole Ryan, Pookumu at Kanu o Ka 'Āina New Century Public Charter School, provided testimony on agenda item VIII. She asked that the Commission consider the impact that the guidelines have on charter schools. She provided a brief history of the creation in 2019 and updated in 2020 to the guidelines. She added that the school has amended its program to comply. She requested that the Commission develop broader and less subjective definitions of each learning environment that are straightforward and concise. In addition, she requested that the reference to asynchronous, synchronous, and developmentally appropriate be removed

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*at the beginning of each agenda item.*

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from the Learning Environments definition. She cited and discussed the current research regarding the learning models.

Commissioners Kama Hopkins requested if the testimony provided by Ryan could be shared in written form to compare the comments and the document. Commissioner Shannon Cleary discussed Sunshine Law requirements in providing meeting material to Commissioners.

Steve Hirakami, Hawai'i Academy of Arts and Science Public Charter School, provided testimony on agenda item VIII. He welcomed the new Commissioner leadership and members. He noted Commissioner Takamura's past experience with the Charter School Review Panel and education background. He discussed his education experience and the changes in 1999 when the law passed to include 21<sup>st</sup> new century charter schools. He shared the challenges with the pandemic and finding new mastery base models through technology. He felt that the guidelines should not be so stringent. He provided examples with the definition and asked not to prescribe asynchronous and synchronous instruction. He discussed the different learning models for students. He asked that there be a broader scope to allow charter schools flexibility with the new educational challenges ahead.

No written testimony submitted.

### III. Action on Request to Amend Exhibit A of the Charter Contract 3.0 for Hawaii Technology Academy (HTA)

Commission Chair Ikeda called for additional testimony. No testimony provided.

Interim Executive Director Yvonne Lau provided an overview of the amendment request to Exhibit A of the charter contract 3.0 for Hawaii Technology Academy (HTA) to add another site to its Exhibit A. She introduced Executive Director Matt Zitello.

Executive Director Matt Zitello discussed the amendment request and need for an additional space for its elementary grades on O'ahu. He discussed the location and the amenities which included a green space for its students to go outside. He provided background on the availability of the site which began last year and due to circumstances was abandoned. He shared that the facility became available in May and the school has been working diligently due to the tight timeline. He shared that the master agreement is with the Friends of HTA and Our Lady of Perpetual Help School. He stated the sublease is with the school's DAG for review. He provided an overview of the next steps after the sublease approval which included obtaining the certificate of occupancy (COO) and scheduling the fire inspection.

Lau summarized that the school is requesting a conditional approval as the school finalizes the lease with its nonprofit organization. In addition, the school needs to provide a copy of its COO for the facility. She added that a fire inspection cannot be scheduled until the lease is executed.

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She stated the proposed timeline to complete all items is August 1st. She shared the school notified the Commission staff once the facility became available and has been working to complete the required documents for the new school year.

Zitello added that the school would not be increasing its enrollment. He provided an overview of the space and features (more space and green area). He reiterated the school has been working through the requirements.

Commissioner Cleary asked what the contingency plan is. Zitello responded that the school would remain at its current space in Waipahu. He added that the new site is a turnkey facility which would allow the school to move in once the fire inspection is complete.

Commissioner Hopkins and charter schools' DAG Gregg Ushiroda discussed the review and approval timeline of the lease.

Commissioner Hopkins asked if the Commission has a practice in issuing conditional approvals for this type of request. Lau responded that the Commission has approved these amendment requests and provided an example of HTA's Maui campus that is waiting on its permit. She emphasized that the school may not use the facility until a permit is issued and submitted to the Commission. HTA's Facility Coordinator Carrie White informed DAG Ushiroda the email was sent on July 11th.

Commissioner Carl Takamura clarified that the request is to access a new space with no increase to its enrollment. Zitello responded yes and that the new space would be for its elementary education.

Commissioner Takamura and Lau discussed the review and assessment by Commission staff of the request for possible Commission action. Lau provided an overview of the requirements for this type of request which include a signed lease, copy of the COO, and fire inspection report. She shared that the school contacted the Commission staff once the space became available and has been working on the requirements. She reiterated the school is waiting on its DAG review and approval, then would obtain the COO and schedule the fire inspection. She shared the school may proceed as long as the school submits all the requirements. She stated the biggest concern is liability and safety. She recalled HTA's contingency plan shared by Zitello that the school will remain in its current location until such time. She provided an example of a past pending permit situation and reiterated that the school may not occupy the facility until documents are completed.

Commissioner Takamura recommended a conditional approval with conditions. Commission Chair Ikeda discussed the lease and COO for educational use. Commission Chair Ikeda and Zitello discussed providing the documentation to verify that the student enrollment would not exceed the current COO.

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Commissioner Cleary and Zitello discussed the COO. Zitello clarified that the school has requested the current COO. He discussed the transition goal timeline of August 8<sup>th</sup> but has its contingency plan.

Zitello and DAG Ushiroda discussed the review and timeline of the lease for approval.

Commissioner Terry Holck and Zitello discussed the goal timeline and clarified that the school would not transition into the new space until the required conditions are met. Zitello shared understanding and believed that the timeline is doable, however, has a contingency to stay in its current facility.

Commissioner Makalapua Alencastre commented on the high rent amount and recognized what charter schools have to do to run its programs. Zitello shared appreciation for the comments provided.

Commissioners discussed the recommendation to approve the request to expand based upon the school meeting the following conditions of approval of sublease, obtaining the COO, verification of enrollment to ensure capacity and meeting all health and safety requirements.

**ACTION: Move to approve the request from Hawaii Technology Academy to amend its Exhibit A of its Charter School Contract to add a new location at the former site of the Our Lady of Perpetual Help School, provided that the required documentation and health and safety measures (as described below) have been completed.**

**The required documentation and health and safety measures shall be:**

- 1. Executed lease, approved by the attorney general;**
- 2. Certificate of Occupancy;**
- 3. Additional documentation pertaining to enrollment to ensure capacity; and**
- 4. Fire Inspection of the facility.**

**(Takamura/Cleary). The motion passed unanimously**

- IV. Update and Action on Kamalani Academy's:
  - a. Notice of Concern #2022.06.O.13 issued on June 20, 2022 regarding Student Records and Governance
  - b. Investigation regarding Parent Complaints

Commission Chair Ikeda called for additional testimony. No testimony provided.

Commission Chair Ikeda reminded that the agenda item will continue to be on future agendas until the Notice of Concern (NOC) is closed.

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Governing Board Chair Ku'uipo Murray welcomed the new Commission leadership and Commissioners. She said that Commission staff had not reached out on the guidance for the enrollment form or cumulative folder. She shared that the school created a digital enrollment form that was emailed out to the families of enrolled students on Monday. She stated the school received 15% of the forms back. She requested for an additional week and if not, the school will continue to press forward. She discussed the projected enrollment number and the enrollment forms.

Commissioner Takamura and School Director Amanda Fung discussed the enrollment form used and required information. Fung shared that the school took the original form and worked with its IT to create a digital signature line within the Google form. In addition, the school also offered hard copy forms to be sent to the parents. Commissioner Takamura clarified that the form is a common form for all students. Fung responded yes. She shared that every student has the same form. She provided information on the school's updates since its opening.

Commissioner Hopkins and Fung discussed the deadline that was suggested by the school, July 22nd, to complete the forms. Commissioners discussed the upcoming meeting schedule. Fung shared that the school hoped to connect with parents at its upcoming Ho'olaulea event on July 29th. Commissioner Hopkins wondered if an extension should be granted. Lau stated the agenda is an update/action item that the Commission could decide to take an action. Commissioner Hopkins decided that an extension was not necessary as the agenda item will continue on the agenda until all conditions are met and the school is getting the enrollment forms signed and dated.

### V. Presentation by National Association of Charter School Authorizers on the Evaluation Process of the State Public Charter School Commission

Commission Chair Ikeda called for additional testimony. No testimony provided.

Lau provided background on the Commission's approval to engage with the National Association of Charter School Authorizers (NACSA) on the evaluation of the Commission. She stated that the contract is being reviewed by the Commission's DAG.

Amy Ruck Kagan presented on the upcoming evaluation contingent upon the execution of the contract. See presentation handout for details.

Commissioner Takamura referred to the 2017 evaluation report and asked if there was a general effort to implement the recommendation. Kagan felt that there has been growth and development based on her observation, communication with staff, and Commission's participation in NACSA events. She shared there is a great commitment to education and

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professional development in the field. She noted there are areas that were pointed out in the 2017 evaluation that are continuously being worked on.

Commissioner Takamura shared his experience with the Western Association of Schools and Colleges (WASC) and WASC's focus on self-improvement. In addition, to help schools do a deep dive with the goal to improve as opposed to a 'gotcha' thing. Kagan shared her previous background as an authorizer and her experience with NACSA evaluations. She discussed NACSA's role and intention of the evaluation and its recommendation for the success of the Authorizer and schools.

### VI. Update and Action on the State Public Charter School Commission's Strategic Plan Goal 1

Commission Chair Ikeda called for additional testimony. No testimony provided.

Foehr provided an update on the changes to the draft Characteristics of High-Quality Public Charter Schools and diverse education options documents based on the feedback provided by the Commissioners at its June 20, 2022 General Business meeting. The updates included further detail on the charter schools grade levels served, geographic locations, and programs. Commissioner Cleary and Early Learning Program Director Deanne Goya discussed creating a bar chart to represent the number of charter schools within the Commission's portfolio.

Commissioner Takamura and Goya discussed the slides regarding the breakdown of charter schools by island. Commissioner Takamura and Lau discussed the current educational options on Lanai and past discussions around a possible charter school.

Foehr recalled the comment around student outcomes and including it in the characteristics. He referred to page 6 of the Characteristics of High-Quality Public Charter Schools document.

Commissioner Alencastre suggested that the Commission staff reach out to the charter schools regarding the school's categorization of its programs. She noted that a school's program may not necessarily be articulated in its mission and vision. Goya shared understanding and added that Commission staff also reviewed each charter schools' website. Foehr summarized the request to connect with schools. Commissioner Alencastre shared the importance in that step and provided an example of a school that did not begin as a Hawaiian focused school but over the years have developed that opportunity. She stated it's an opportunity to define our schools the best the Commission can.

Lau reminded that this is the Commission's first iteration of the definition and diverse opportunities. She shared as the Commission moves through its strategic plan goals there will be fine tuning with the document based on the data and analysis collected. She stated this is the first step in the process and that there is opportunity to fine tune the document based on

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the data and engagement with schools on what they are doing. She added there may be categories that have not been captured yet.

Commission Chair Ikeda summarized the possible action to approve or accept the definition and diverse education options documents with the idea that the work will continue. Foehr recalled the request from Commissioner Baldemor to include student outcomes. He referred to the Academic Performance Characteristic (page 6) section that included language focuses around high quality, cultural competency, and strong academic results for students. In addition, page 7 discussed assessments of student learning that inform governing boards. Commissioners discussed the recommendation to accept the definition of high quality public charter schools and diverse educational opportunities documents for the purpose of goal 1 of the Commission's strategic plan.

Commissioner Hopkins and Foehr discussed the section, Promoting a Culture of Continuous Learning and Improvement, specifically regarding the data used to adjust plans as part of a data-driven culture focused on increasing the quality of student work through prevention and intervention. Foehr discussed the collection of data and how school's use that data to make decisions. He provided examples of assessment tools. In addition, he discussed increasing the quality of student work through interventions and prevention by continuously assessing trends to take action. He shared the idea of using programs or practices to identify interventions and identify trends to make decisions to prevent kids from learning loss.

Commissioner Hopkins shared appreciation for the, "Sustaining and growing talent results in instructional transformation which has the potential to diagnose and respond to student learning needs through rigorous evidence-based instruction that removes barriers, and provides pathways to learning." (page 13 of the Characteristics of High-Quality Public Charter Schools). He felt that it was a clear indication on how the pieces are related to one another to help schools determine how to move forward as a high quality school. Foehr shared that the team conducted research with that intention. Goya shared agreement that everything is connected.

**ACTION: Motion to accept the definition of high-quality public charter schools and diverse educational opportunities for the purpose of Goal 1 of the Commission's Strategic Plan (Cleary/Takamura). The motion passed unanimously.**

**ACTION: Motion to recess at 10:39 a.m. for ten minutes (Cleary/Hopkins). The motion passed unanimously.**

Commission Chair Ikeda reconvened the meeting at 10:49 a.m.

- VII. Update on the Progress regarding the Study of Charter School Assessment Practices by the Permitted Interaction Group



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Commission Chair Ikeda reminded that agenda items VII and VIII are reports only and the handouts were available online.

Commission Chair Ikeda called for additional testimony. No testimony provided.

Commission Chair Ikeda provided background and history of the creation of the permitted interaction group which included the assigned Commissioners and scope to study charter school best practices assessment: 1) under current conditions and 2) on a long term basis, which could lead to recommendations regarding the implementation of assessment practices beyond the Hawai'i DOE Smarter Balanced Assessment, or any other mandated assessments.). She provided the breakdown and overview of the three stages: stage 1 - literature review of research, stage 2 – discussions with school-selected representatives, and stage 3 – synthesize of stage 2 information. She shared an overview of the learnings in stage 2, the discussions with school-selected representatives. She noted the permitted interaction group is ongoing.

Commissioner Alencastre added that external expertise was also provided by Alice Kawakami. She discussed the iterative process and the amount of time this permitted interaction group requires to process the information.

### VIII. Report on the Recommendations regarding the Commission's Online Virtual Blended Guidelines by the Permitted Interaction Group

Commission Chair Ikeda called for additional testimony.

Gene Zarro provided testimony on agenda item X. He welcomed the new Commission leadership and Commissioners. He referenced §302D, HRS, specifically regarding the governing board and school's authority over its curriculum, which includes virtual education. He shared concerns that virtual education is singled out as if untested. He stated charter schools have provided virtual education for more than two decades and are the real authorities in the State of Hawaii and nationally. He believed that their input is necessary to make policy regarding virtual education and should not be left out of the conversation should a conversation be needed.

Commissioner Alencastre provided background and history of the creation of the permitted interaction group which included the assigned Commissioners and external members. She stated the scope of the permitted interaction group was to review the existing guidelines and propose any revisions to ensure clarity and relevance for the virtual and blended learning program for existing and new programs. She shared the permitted interaction group's effort focused on the understanding and learning of potential and current challenges of virtual and blended learning both during the pandemic and in a normal delivery system. She discussed the

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literature and data review and the impact on student learning. She stated the reporting and monitoring of the programs is a shared kuleana (responsibility) of the governing boards and Commission and aims to optimize the potential that these types of delivery provide the students.

Commissioner Alencastre stated the guidelines were revised to be consistent with the brick and mortar requirements, thus ensuring that both models would meet the performance frameworks. Commissioner Alencastre emphasized the need to collect disaggregated data that informs and demonstrates the program's impact. She stated the permitted interaction group went line-by-line and reviewed its relevance and applicability to help schools develop their programs.

Lau reiterated the permitted interaction group's process to provide a report on its recommendations. She stated that the Commission may discuss and deliberate on the recommendations at the subsequent meeting per Sunshine Law.

- IX. Report by the Commission's Executive Director's:
- a. Update on Charter Schools Notices of Concern
  - b. Update on COVID-19 for Charter Schools and the State Public Charter School Commission
  - c. Bright Spots for Charter Schools and the State Public Charter School Commission

Lau provided an update on the Fire Inspection NOCs issued to five charter schools. She noted the issues are complicated and schools are working to resolve the issues. She provided examples of the issues the schools are facing.

Commissioner Takamura, Lau and Foehr discussed the timeline for resolution for the NOCs and concerns for the liability and safety. Commissioner Takamura shared understanding of the complex situations but emphasized the importance in meeting the standards. Lau and Foehr added that Commission staff will work with the schools to present on its timelines.

Lau shared the Commission has not received any recent report of COVID-19 on campus due to the summer break. She noted as school begins we should expect updates on the number of cases. She added the Department of Health (DOH) will be updating its guidance and has been supportive of the charter schools. She shared that Commission staff will continue to work with the schools and DOH.

Lau provided an update on the NACSA multi-state congressional project to revamp the Performance Frameworks. She shared deep appreciation for Senator Hirono for supporting the request and Commission's work. She will update the Commission on the progress of the Congressional request.

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Lau stated Governor Ige signed into law Act 257, which allocated funds to the School Facilities Authority to expand access to pre-k eligible students. She shared the Commission has begun conversations with the Executive Office on Early Learning on accessing funds to support the charter schools. Lau shared a video on [Kamaile's Pre-K Program](#).

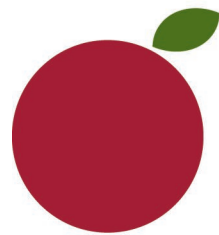
Commissioner Takamura asked for an update regarding WASC and alignment with assessments at a future meeting.

### X. Adjournment

Commission Chair Ikeda adjourned the meeting at 11:22 a.m.

# Hawaii State Public Charter School Commission: NACSA Authorizer Evaluation

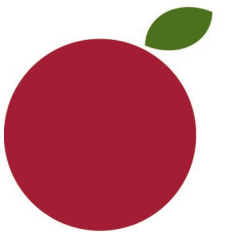
QUALITY EDUCATION FOR NEW TIMES



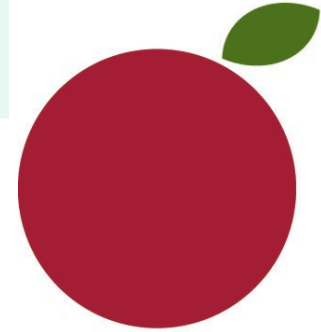
nacsa  
NATIONAL ASSOCIATION OF  
CHARTER SCHOOL AUTHORIZERS

# Agenda

- #1 • **Overview of NACSA**
- #2 • **Evaluation Process/Timeline**
- #3 • **Questions**



Your Team:  
Heather  
Wending,  
Amy Ruck  
Kagan, Kasey  
Miller

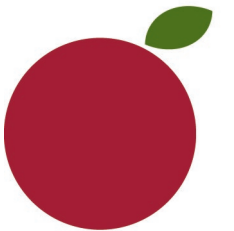


# OUR VISION

Families have access to an array of schools that match their aspirations, interests, and needs.

Students – particularly those historically under-resourced – are achieving at higher levels than ever before.

Schools are accountable for high standards of literacy and numeracy and mission- and community-aligned goals.

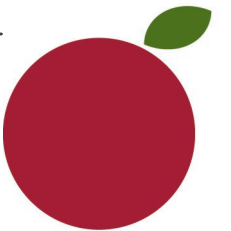


# OUR VISION

Authorizing professionals reflect those they serve and have deep ties to the communities in which they authorize

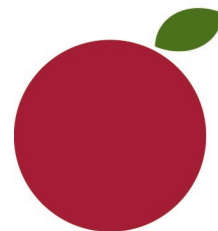
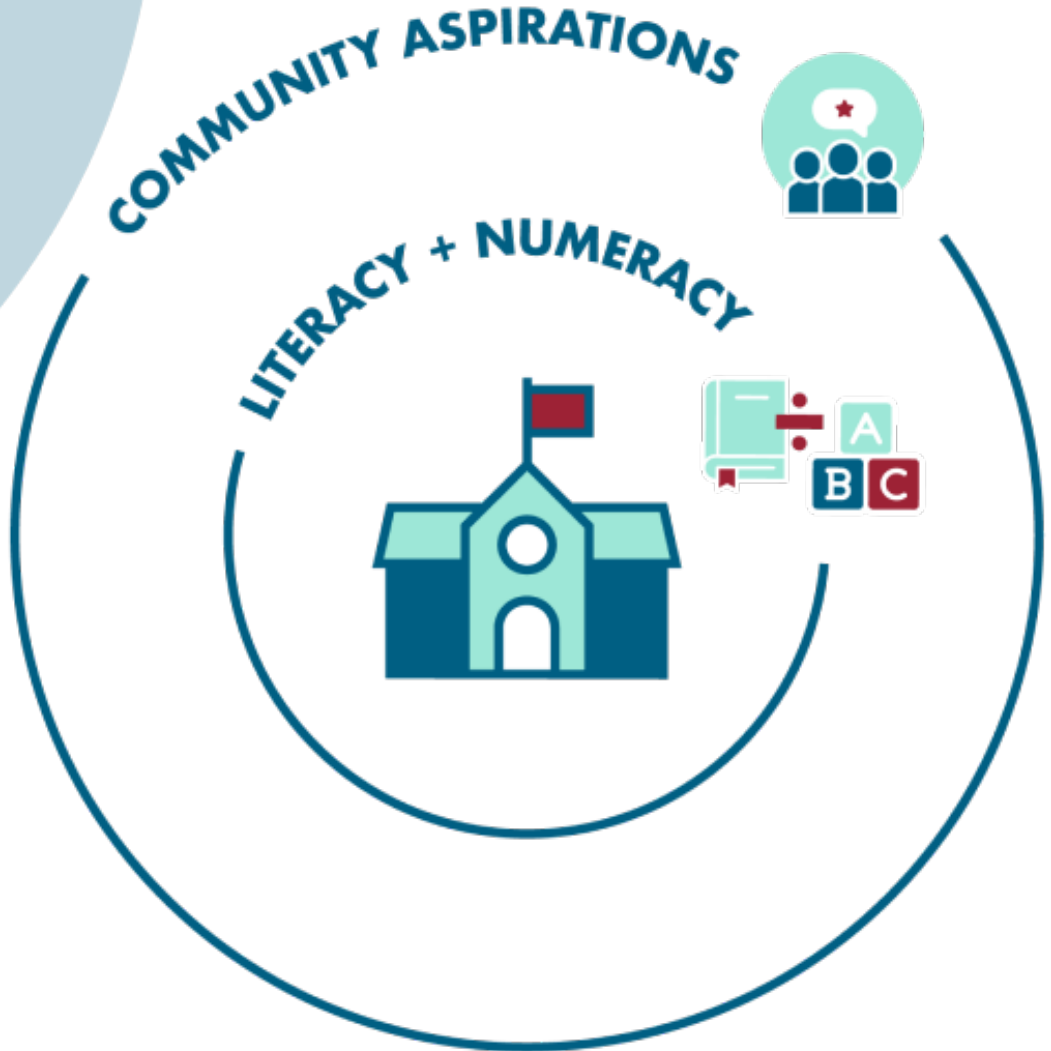


NACSA as the leader in school governance and modern approaches to performance management with the general public, policymakers, and other key stakeholders



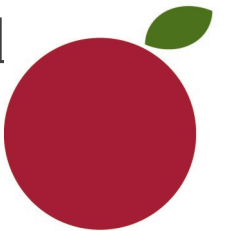


# OUR APPROACH: COMMUNITY-CENTERED



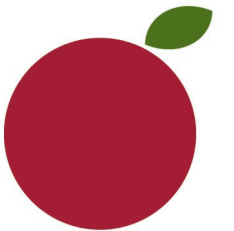
# Evaluation History

- First Authorizer Evaluation in 2009
- Completed over 90 evaluations since 2009
- Spanned 33 states
- Based on [NACSA's Principles and Standards](#) and [QPP](#)
- Designed to assess strengths and areas for improvement
- Concludes with a set of recommendations and actionable plans
- Will reflect on Hawaii's 2017 report

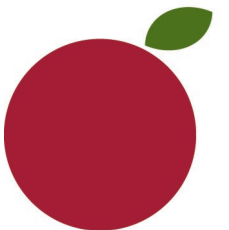


# Evaluation Components

- Organizational Capacity and Commitment;
- Applications and School Openings;
- Monitoring and Interventions;
- Renewal, Expansion, and Closure



# Evaluation Process



# Process Details

## Info Gathering

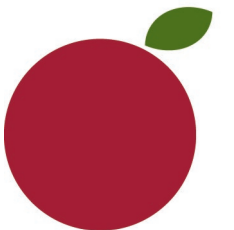
- Authorizer Self-Evaluation
- Desk Audit
- Policy/Law Review
- Prior Evals
- School Leader and Commission Member Survey
- Data Review

## Site Visit

- Commission Interviews
- Commission Meeting Observation
- Staff Meetings/Interviews
- School Interviews

## Presentation

- Presentation of Findings
- Analysis
- Discussion of Next Steps



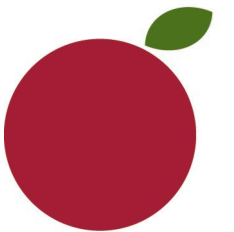
# Questions

Contact Info:

Amy Ruck Kagan: [amyr@qualitycharters.org](mailto:amyr@qualitycharters.org)

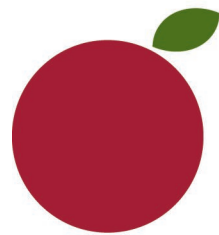
Kasey Miller: [kaseym@qualitycharters.org](mailto:kaseym@qualitycharters.org)

Heather Wendling: [hbwendling@gmail.com](mailto:hbwendling@gmail.com)



# EXCELLENCE FROM COMMUNITIES

QUALITY EDUCATION FOR NEW TIMES



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CHARTER SCHOOL AUTHORIZERS