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(‘AHA KULA HO‘ĀMANA)

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FOR: SB 2780 Relating to Charter Schools
DATE: Monday, February 1, 2016
TIME: 1:15 PM
COMMITTEE(S): Senate Committee on Education
ROOM: Conference Room 229
FROM: Tom Hutton, Executive Director
State Public Charter School Commission

Testimony in support of SB2780

Chair Kidani, Vice Chair Harimoto, and members of the Committee:

The State Public Charter School Commission appreciates the opportunity to submit this testimony in support of Senate Bill 2780, "Relating to Charter Schools," which makes clarifying and conforming amendments to the statutory provisions governing charter schools. We are grateful to Chair Kidani, and Senators Chun Oakland, Keith-Agaran, and Shimabukuro for their sponsorship of the bill.

The proposed measure:

- Allows the Commission to issue interim administrative rules by commission directives pending formal rulemaking process pursuant to Chapter 91, and would limit the interim rules for no more than eighteen months to provide for greater clarity of operations prior to the formal adoption of administrative rules;
- Prohibits the Commission from providing technical support to prospective charter applicants that would directly and substantially impact its decision related to the approval or denial of the charter application;

- Allows charter school governing boards some additional flexibility regarding the posting of meeting agendas, minutes, and membership while providing some minimal guidance regarding the quality of such disclosures to better ensure greater public transparency;
- Provides the same protections to a nonprofit organization that serves as a charter school's governing board as are afforded to other governing boards;
- Specifies that the procedural requirements for Commission hearings are those set forth in the charter school statute, not other requirements set forth in Chapter 91, Hawaii Revised Statutes;
- Expressly allows charter schools to assess special fees and charges for co-curricular activities, to parallel the department of education's statute;
- Allows conversion charter schools to apply enrollment preferences, if any, to those enrollment seats remaining available after all students from within the school's attendance district have been admitted; and
- Expressly adds the Commission to the list of state agencies that are excluded from open meeting requirements of sections 91-8 and 91-9, HRS, when exercise purely adjudicatory functions.

These proposed provisions represent incremental but important refinements to the statutory framework governing Hawaii's public charter school sector.

Thank you for the opportunity to provide this testimony.