
A BILL FOR AN ACT

RELATING TO CHARTER SCHOOLS.

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

1 SECTION 1. The legislature finds that the lack of
2 facilities funding for Hawaii's start-up public charter schools
3 is among the most significant financial and operational
4 challenges facing these public charter schools. Many start-up
5 charter schools lack sufficient funds for facility and
6 infrastructure capital improvements and repair and maintenance
7 costs. Further, the legislature finds that many start-up public
8 charter schools have difficulty finding suitable facilities to
9 rent or lease for their instructional and administrative
10 operations. Several start-up public charter schools have been
11 forced to move from one site or facility to another over the few
12 short years of their operation. Some of these forced moves have
13 occurred during the instructional school year, leading to
14 disruptions of student learning and negative impacts on the
15 schools' financial and organizational viability.

16 New start-up public charter schools often find it extremely
17 difficult to rent or lease facilities, as many landlords are
18 reluctant to enter into rental or lease agreements with new



1 charter schools or their associated nonprofit organizations due
2 to the very low levels of state funding that public charter
3 schools are provided for facilities costs. These difficulties
4 are exacerbated for many start-up public charter schools by
5 zoning restrictions and prohibitive construction costs. The
6 start-up public charter schools' difficulties in securing long-
7 term, adequate, and affordable facilities that are academically
8 appropriate for the implementation of innovative curricula and
9 teaching and learning methods, has resulted in a financial
10 crisis that threatens the long-term viability of Hawaii's public
11 charter school system.

12 In addition, the legislature finds that charter schools,
13 due to their status as public schools and state agencies, should
14 have access to state-held lands and buildings and enjoy
15 comparable rates and conditions as those afforded to other state
16 agencies that use state land and buildings for their operations.

17 The purpose of this Act is to ensure the long-term
18 viability of Hawaii's public charter school system by providing
19 for full facilities funding for all new century start-up public
20 charter schools in Hawaii, by means of:

21 (1) Providing appropriations to new century start-up
22 public charter schools for the cost of facility



1 mortgages, leases, rentals, capital improvements, and
 2 infrastructure repair and maintenance, which shall be
 3 at least equivalent to the level of funds appropriated
 4 to and expended by the department of education for
 5 traditional public school facilities for these costs;
 6 and

7 (2) Requiring the board of land and natural resources to
 8 facilitate the identification and lease or rental to
 9 individual new century public schools, at rates
 10 comparable to other state agencies, of state lands and
 11 buildings under the control of the department of land
 12 and natural resources that may appropriately fulfill
 13 the needs of new century public charter schools for
 14 educational and operational purposes.

15 SECTION 2. Chapter 171, Hawaii Revised Statutes, is
 16 amended by adding a new section to be appropriately designated
 17 and to read as follows:

18 **"§171- Use of vacant state lands for charter schools.**
 19 The board of land and natural resources shall identify and lease
 20 or rent, at rates comparable to other state agencies, vacant
 21 state lands and buildings under the control of the department of
 22 land and natural resources that may appropriately fulfill the



1 needs of new century public charter schools for educational and
2 operational purposes."

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$, or so much
5 thereof as may be necessary for fiscal year 2007-2008, and the
6 same sum, or so much thereof as may be necessary for fiscal year
7 2008-2009, for full funding, through reimbursement, of all new
8 century public charter schools' total costs for facility and
9 infrastructure mortgages, leases, rentals, capital improvements,
10 and repair and maintenance.

11 The sums appropriated shall be expended by the charter
12 school administrative office of the department of education
13 through the EDN 600 program for the purposes of this Act.

14 SECTION 4. New statutory material is underscored.

15 SECTION 5. This Act shall take effect upon its approval
16 provided that section 3 shall take effect on July 1, 2007.

17

INTRODUCED BY:

Calvin H. Day

BY REQUEST
JAN 22 2007



Report Title:

BOE; Charter Schools; Facilities; Appropriation

Description:

Requires the board of land and natural resources to assist with identifying sites for new charter schools to use as facilities. Appropriates funds for facility costs of new charter schools.

