

Honolulu, Hawaii

February 13, 2014

RE: H.B. No. 1745

H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 1745 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to improve the law governing public charter schools by, among other things:

- (1) Allowing the State Public Charter School Commission to assess fees to help cover its operating costs and to set initial fee amounts without following generally applicable rulemaking procedures upon compliance with alternate notice and hearing requirements;
- (2) Requiring that a charter applicant comply with pre-opening criteria set by the authorizer before becoming an entity of the State by entering into and executing a charter contract to open a school;
- (3) Providing that an approved charter applicant that fails to satisfactorily meet the pre-opening criteria and enter into a charter contract or withdraws its application will be required to pursue a new application and approval process to execute a charter contract;



- (4) Specifying that legislatively appropriated funding for the State Public Charter School Commission be independent of funding for charter schools;
- (5) Amending annual reporting requirements for authorizers and the Board of Education;
- (6) Amending requirements for service on a governing board, for the conduct of meetings by a governing board, and for notice of meetings by a governing board;
- (7) Repealing the authorization for the formation of a conversion charter school by an existing Hawaiian language immersion program;
- (8) Providing for the reconstitution of governing boards under exigent circumstances;
- (9) Allowing authorizers to direct a governing board and charter school to take immediate appropriate action to address serious health and safety issues; and
- (10) Making various technical and conforming amendments.

The State Public Charter School Commission supported this measure. The Hawaii Educational Policy Center opposed this measure. The Hawaii Public Charter Schools Network and a concerned individual submitted comments.

Your Committee has amended this bill by:

- (1) Specifying that the fees assessed by the State Public Charter School Commission apply to non-state entities and individuals;
- (2) Allowing authorizers and governing boards to make and execute contracts;
- (3) Further changing publication requirements for notices, agendas, and minutes of public meetings by a governing board;
- (4) Changing its effective date to July 1, 2014; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1745, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1745, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Education,



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ROY M. TAKUMI, Chair



State of Hawaii  
House of Representatives  
The Twenty-seventh Legislature

HSCR 404-14

**Record of Votes of the Committee on Education**

<b>Bill/Resolution No.:</b> HB1745	<b>Committee Referral:</b> EDN, FIN	<b>Date:</b> 2/3/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>EDN Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. TAKUMI, Roy M. (C)	✓			
2. OHNO, Takashi (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. AWANA, Karen	✓			
5. CHOY, Isaac W.	✓			
6. HANOHANO, Faye P.	✓			
7. ICHIYAMA, Linda	✓			
8. SAY, Calvin K.Y.	✓			
9. TAKAI, K. Mark				✓
10. MATSUMOTO, Lauren Kealohilani	✓			
11. FALE, Richard Lee	✓			
<b>TOTAL (11)</b>	10	0	0	1
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				