



GOV. MSG. NO. 1211

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 12, 2015

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 12, 2015, the following bill was signed into law:

HB832 HD1 SD2 CD1

RELATING TO EDUCATION
ACT 111 (15)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

RECEIVED
SENATE
OFFICE OF THE PRESIDENT

'15 JUN 12 P4:09

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THE SENATE
CLERK'S OFFICE
STATE OF HAWAII

'15 JUN 12 P5:10

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Section 302D-34, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§302D-34 Enrollment. (a) A public charter school shall
4 not discriminate against any student or limit admission based on
5 race, color, ethnicity, national origin, religion, gender,
6 sexual orientation, income level, disability, level of
7 proficiency in the English language, need for special education
8 services, or academic or athletic ability.

9 (b) A start-up charter school:

10 (1) Shall be open to any student residing in the State who
11 is entitled to attend a department school;

12 (2) Shall enroll all students who submit an application,
13 unless the number of students who submit an
14 application exceeds the capacity of a program, class,
15 grade level, or building;

16 (3) Shall select students through a public lottery if, as
17 described in paragraph (2), capacity is insufficient



1 to enroll all students who have submitted a timely
2 application;

3 (4) May give an enrollment preference to students within a
4 given age group or grade level and may be organized
5 around a special emphasis, theme, or concept as stated
6 in the charter school's application and as approved by
7 the charter school's authorizer;

8 (5) May give an enrollment preference to students enrolled
9 in the charter school during the previous school year
10 and to siblings of students already enrolled at the
11 charter school; and

12 (6) May give any other enrollment preference permitted by
13 the charter school's authorizer, on an individual
14 charter school basis, if consistent with law;

15 provided that nothing in this subsection shall preclude the
16 formation of a start-up charter school whose mission is focused
17 on serving students with disabilities, who are of the same
18 gender, who pose such severe disciplinary problems that they
19 warrant a specific educational program, or who are at a risk of
20 academic failure.



- 1 (c) A conversion charter school shall:
- 2 (1) Enroll any student who resides within the school's
- 3 former geographic service area pursuant to section
- 4 302A-1143, for the grades that were in place when the
- 5 department school converted to a charter school;
- 6 provided that the department may consult with a
- 7 conversion charter school every three years to
- 8 determine whether realignment of the charter school's
- 9 service area is appropriate given population shifts
- 10 and the department's overall service area reviews;
- 11 (2) Follow the department's procedures regarding
- 12 enrollment, including but not limited to geographic
- 13 exceptions and enrollment preferences; and
- 14 (3) Be subject to subsection (b) for grades that were not
- 15 in place when the school converted to a public charter
- 16 school.
- 17 (d) Any law to the contrary notwithstanding, the
- 18 university laboratory school may conform its student enrollment
- 19 profile to the standard prescribed by the University of Hawaii
- 20 college of education in order to meet the University of Hawaii
- 21 college of education's research requirements."



1 SECTION 2. No later than twenty days prior to the
2 convening of the regular sessions of 2016, 2017, 2018, 2019, and
3 2020, the state public charter school commission shall submit a
4 report to the legislature that contains a review of the
5 university laboratory school's actual admissions data to ensure
6 that the school conforms to its admissions policy. The report
7 shall include but not be limited to:

- 8 (1) An explanation of the admissions policy and practices
9 applied;
- 10 (2) An explanation of the research requirements underlying
11 the admissions policy and practices;
- 12 (3) The goals and targeted enrollment results that the
13 admissions policy and practices are designed to
14 achieve;
- 15 (4) The actual enrollment numbers based on the demographic
16 categories used;
- 17 (5) Any significant variances between actual enrollment
18 numbers versus the goals and targeted enrollment
19 results;
- 20 (6) An evaluation of the reasons behind any such
21 variances; and



1 (7) Any actions that the university laboratory school will
2 take to lessen or eliminate any such variances.

3 SECTION 3. (a) The university laboratory school shall
4 conduct a study regarding whether the school should be a private
5 school instead of a public charter school to determine whether
6 an exemption from chapter 302D, Hawaii Revised Statutes, is
7 necessary.

8 (b) Based on the study in subsection (a), the university
9 laboratory school shall submit a report of its findings and
10 recommendations, including any proposed legislation, to the
11 legislature no later than twenty days prior to the convening of
12 the regular session of 2016.

13 SECTION 4. New statutory material is underscored.

14 SECTION 5. This Act shall take effect on July 1, 2015;
15 provided that this Act shall be repealed on July 1, 2020.

APPROVED this 12 day of JUN, 2015



GOVERNOR OF THE STATE OF HAWAII

