
A BILL FOR AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS.

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

1 SECTION 1. Chapter 302D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§302D- Financial insolvency. (a) In the event that
5 any public charter school becomes financially insolvent, the
6 school shall be deemed to have surrendered its charter contract.

7 (b) If an authorizer determines that school closure is
8 necessary, the authorizer shall develop a public charter school
9 closure protocol as required under section 302D-19(a). The
10 authorizer shall, in its sole discretion, determine whether to
11 keep the school open to students and personnel for a set period
12 of time for any reason, including to provide for a transition
13 period for students or personnel."

14 SECTION 2. Section 302A-1143, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "§302A-1143 Attending school in what service area. A
17 person of school age shall be required to attend the school of



1 the service area, as determined by the department, in which the
2 person resides, unless:

3 (1) The person is enrolled in a Hawaiian language medium
4 education program or charter school;

5 (2) A geographic exception to attend a school in another
6 service area is requested and granted at the
7 discretion of the department; [~~or~~]

8 (3) Out-of-service-area attendance is mandated by the
9 department or by federal law[~~-~~]; or

10 (4) The person attends a public charter school and has
11 been notified of the prospect of charter revocation or
12 nonrenewal in accordance with section 302D-18 or of
13 closure in accordance with section 302D-19."

14 SECTION 3. Section 302D-17, Hawaii Revised Statutes, is
15 amended by amending subsection (e) to read as follows:

16 "(e) The authorizer shall have the authority to direct the
17 governing board and the charter school to take appropriate
18 action to immediately address serious health and safety issues
19 that may exist at a charter school in order to ensure the health
20 and safety of students and employees or mitigate significant
21 liability to the State.



1 The board shall have the authority to direct the authorizer
2 to take appropriate action to immediately address serious health
3 and safety issues that may exist at a charter school in order to
4 ensure the health and safety of students and employees and
5 mitigate significant liability to the State.

6 The authorizer shall, in its sole discretion, determine
7 whether the health and safety issues require school closure. If
8 an authorizer determines that school closure is necessary, the
9 authorizer shall develop a public charter school closure
10 protocol as required under section 302D-19(a). The authorizer
11 shall, in its sole discretion, determine whether to keep the
12 school open to students and personnel for a set period of time
13 for any reason, including to provide for a transition period for
14 students or personnel."

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Public Charter Schools; Financial Insolvency; Health and Safety; Closure; Public School Service Area; Geographic Exceptions

Description:

Establishes protocol for public charter schools in the event a school becomes financially insolvent. Authorizes school closure if determined necessary by an authorizer in the event of financial insolvency or due to health and safety issues. Allows a public charter school student who has been notified of the prospect of charter revocation or nonrenewal or school closure to enroll in a school outside of the student's service area.

(SD1)

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