
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 there are nearly
2 twelve thousand students enrolled in the thirty-seven public
3 charter schools operating under the governance of the state
4 public charter school commission and the board of education.
5 The majority of charter school funding is provided on a non-
6 facility general fund per-pupil basis, calculated from the sum
7 of certain general fund non-facility operating appropriations to
8 the department of education, and each charter school's pro rata
9 enrollment compared to the total public education enrollment.
10 Charter school non-facility general fund per-pupil funding has
11 been \$6,846, \$7,089, and \$7,323 in the school years 2015-2016,
12 2016-2017, and 2017-2018, respectively. Charter schools use
13 this funding to pay for a wide range of school-related expenses,
14 such as for teachers and administrative staff, school
15 facilities, meal service, and student transportation. Notably,
16 a significant amount of charter schools' expenses may not be
17 borne by schools operated under the department of education.



1 Accordingly, while the non-facility general fund per-pupil
2 funding provided to charter schools has increased each year,
3 charter school operational costs continue to rise, and gaps
4 continue to remain between public charter schools and schools
5 under the operation of the department of education. As the
6 state public charter school commission's Strategic Vision and
7 Plan 2019-2023 explains, "[f]unding gaps continue in per-pupil
8 allocation, facilities, payroll, transportation and food
9 services, causing charter schools to use the already meager per
10 pupil allocation to provide basic services that are provided
11 through centralized services by the Department of Education
12 (DOE), Accounting and General Services (DAGS) and Department of
13 Transportation (DOT) for other public schools."

14 The legislature finds that facilities funding and the lack
15 of facilities has been a long-standing issue for many of
16 Hawaii's charter schools. For example, start-up public charter
17 schools that lack adequate building facilities are sometimes
18 forced to hold classes outdoors, on covered lanais, or in
19 unstable temporary structures.

20 The purpose of this Act is to:



- 1 (1) Add the rental or lease of facilities and payment of
- 2 debt service to the list of explicitly authorized uses
- 3 of legislative appropriations and bond authorizations
- 4 made for charter school facilities funding;
- 5 (2) Make housekeeping amendments for clarity and
- 6 consistency; and
- 7 (3) Provide funding to the state public charter school
- 8 commission for the design, planning, construction,
- 9 repair, and maintenance of public charter school
- 10 improvements; the expansion or improvement of
- 11 instructional space; the rental, lease, or payment of
- 12 debt service of facilities; the provision of food
- 13 services; and the provision of restroom facilities.

14 SECTION 2. Section 302D-29.5, Hawaii Revised Statutes, is

15 amended by amending subsection (a) to read as follows:

16 "(a) Beginning with the 2016-2017 fiscal year, and each

17 fiscal year thereafter, the legislature shall consider making an

18 appropriation and bond authorization to the commission for the

19 design, planning, construction, repair, and maintenance of

20 public charter school improvements to address issues of health,

21 safety, and legal compliance; [~~expand or improve~~] the expansion



1 or improvement of instructional space; [~~provide for~~] the rental
 2 or lease of facilities and debt service for financing; the
 3 provision of food services; or [~~provide~~] the provision of
 4 restroom facilities. The appropriation and bond authorization
 5 for charter schools shall be separate from, and in addition to,
 6 any appropriation made to charter schools pursuant to [~~this~~
 7 section and] section 302D-28. [~~These amounts shall be~~
 8 prioritized for allocation by the charter school facilities
 9 funding working group.] "

10 SECTION 3. There is appropriated out of the general
 11 revenues of the State of Hawaii the sum of \$ or so
 12 much thereof as may be necessary for fiscal year 2019-2020 and
 13 the same sum or so much thereof as may be necessary for fiscal
 14 year 2020-2021 for the state public charter school commission to
 15 allocate to charter schools, as determined by the commission,
 16 for the design, planning, construction, repair, and maintenance
 17 of public charter school improvements; the expansion or
 18 improvement of instructional space; the rental or lease of
 19 facilities; debt service for financing; the provision of food
 20 services; and the provision of restroom facilities.

1 The sums appropriated shall be expended by the state public
2 charter school commission for the purposes of this Act.

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

5 SECTION 5. This Act shall take effect on July 1, 2019.

6



Report Title:

Charter Schools; Appropriation; Infrastructure Funding and Improvement

Description:

Allows charter schools to use appropriated funds for facilities improvement, rental, and construction and other infrastructure improvements. Appropriates funds for facilities and infrastructure improvement. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

