
A BILL FOR AN ACT

RELATING TO PUBLIC CHARTER SCHOOLS.

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

1 SECTION 1. The legislature finds that facilities funding
2 has been a long-standing issue for charter schools nationally
3 and locally. Act 159, Session Laws of Hawaii 2013, authorized
4 the state public charter school commission to request facilities
5 funding as part of its annual budget request. Until then,
6 Hawaii start-up charter schools paid the costs of their
7 facilities from operational funds, which made it difficult for
8 schools to maintain strong financial footing.

9 The legislature further finds that during the 2014 regular
10 session, several measures to provide facilities funding reached
11 conference, a recognition of the need to support charter schools
12 facilities to ensure the financial, academic, and organizational
13 well-being of public charter schools. These measures did not
14 make the final decking deadline, however, and, according to a
15 recent board of education report, the long term financial
16 sustainability of charter schools continues to be a concern.



1 The purpose of this Act is to provide a framework for
2 support of public charter schools facilities through adequate
3 prioritization, oversight, and accountability.

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

7 "§302D- Use of vacant department facilities. (a) When
8 any department considers whether to close any particular
9 facility, it shall give reasonable consideration to making all
10 or portions of the facility available to charter schools and
11 pre-plus programs; provided that the facilities may be used for
12 any other purpose the department of education deems appropriate.

13 (b) Each department shall identify and notify the
14 department of education, commission, and the executive office on
15 early learning of suitable unused facilities that may be
16 appropriate for:

- 17 (1) Public charter schools;
18 (2) Development of twenty-first century schools;
19 (3) Early learning programs, including but not limited to
20 the pre-plus program; and



1 (4) Any other purpose the department of education deems
2 appropriate, including the development of mixed-use
3 facilities that are utilized by public and private
4 entities.

5 Each department shall inventory such suitable facilities,
6 and priority shall be given to facilities on sites with
7 sufficient space for three or more classrooms.

8 (c) Each department shall adopt rules pursuant to chapter
9 91 necessary to carry out the purposes of this section.

10 (d) For purposes of this section, "department" means all
11 of the departments listed in section 26-4, as may be amended
12 from time to time, except the department of education.

13 (e) Upon receipt of a notice pursuant to subsection (b),
14 the commission and the executive office on early learning shall
15 solicit applications from public charter schools and pre-plus
16 programs, respectively, which are interested in using and
17 occupying all or portions of the facilities and submit a
18 prioritized list of charter schools and pre-plus programs to the
19 department of education for final determination of which charter
20 school or schools, and pre-plus program or programs, if any,
21 shall be authorized to use and occupy the facilities."



- 1 SECTION 3. New statutory material is underscored.
- 2 SECTION 4. This Act shall take effect upon its approval.



Report Title:

State Public Charter Schools Commission; Department of Education; Executive Office on Early Learning; Facilities

Description:

Requires state departments, upon the closure of facilities, to consider the facility's suitability for use by public charter schools or early learning pre-plus programs or for development of twenty-first century schools or mixed-use facilities, and to notify the department of education, state public charter schools commission, and executive office on early learning of the availability and suitability of the facility. (SD1)

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