

SB2780



(?)

Submit Testimony

Measure Title: RELATING TO CHARTER SCHOOLS.
Report Title: Charter Schools; Rules; Fees
Description: Authorizes the charter school commission to adopt interim rules. Establishes requirements for meeting minutes. Authorizes charter schools to assess fees and charges for co-curricular activities.
Companion: [HB2205](#)
Package: None
Current Referral: EDU, WAM
Introducer(s): KIDANI, CHUN OAKLAND, KEITH-AGARAN, SHIMABUKURO

Sort by Date	Status	Text
1/27/2016	S	Introduced.
1/27/2016	S	Passed First Reading.
1/27/2016	S	Referred to EDU, WAM.
1/28/2016	S	The committee(s) on EDU has scheduled a public hearing on 02-01-16 1:15PM in conference room 229.
2/1/2016	S	The committee(s) on EDU deferred the measure until 02-12-16 1:15PM in conference room 229.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | **ConAm** = Constitutional Amendment
Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

SB2780

JAN 27 2016

A BILL FOR AN ACT

RELATING TO CHARTER SCHOOLS.

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

1 PART I

2 SECTION 1. Section 302D-3.5, Hawaii Revised Statutes, is
3 amended to read as follows:

4 "[+]§302D-3.5[+] Rules. Unless otherwise provided for in
5 this chapter or chapter 302A, the commission may adopt rules
6 pursuant to chapter 91 to administer and implement this chapter;
7 provided that the board shall maintain exclusive [~~rule-making~~]
8 rulemaking authority over state educational policy[-]; and
9 provided further that the commission may issue interim rules by
10 commission directives that shall be exempt from the public
11 notice, public hearing, and gubernatorial approval requirements
12 of chapter 91. The interim rules shall not be effective for
13 more than eighteen months."

14 SECTION 2. Section 302D-5, Hawaii Revised Statutes, is
15 amended by amending subsection (g) to read as follows:

16 "(g) An authorizer shall not provide technical support to
17 a prospective charter school applicant, an applicant governing



1 board, or a charter school it authorizes in cases where the
2 technical support will directly and substantially impact any
3 authorizer decision related to the [~~authorization,~~] approval or
4 denial of the charter application or the renewal, revocation, or
5 nonrenewal of the charter [~~school.~~] contract. This subsection
6 shall not apply to technical support that an authorizer is
7 required to provide to a charter school pursuant to federal
8 law."

9 SECTION 3. Section 302D-12, Hawaii Revised Statutes, is
10 amended by amending subsection (h) to read as follows:

11 "(h) Charter schools and their governing boards shall be
12 exempt from the requirements of chapters 91 and 92. The
13 governing boards shall:

14 (1) Hold meetings open to the public;

15 (2) [~~Make available~~] Post the notices and agendas of
16 public meetings:

17 (A) At a publicly accessible area in the charter
18 school's office so [~~as to be~~] they are available
19 for review during regular business hours; and

20 (B) On the charter school's internet website,



S.B. NO. 2780

1 not less than six calendar days prior to the public
2 meeting, unless a waiver is granted by the authorizer
3 or authorizer's designee in the case of an emergency;
4 [and]

5 (3) Keep written minutes of all public meetings that shall
6 include:

7 (A) The date, time, and place of the meeting;

8 (B) The members of the board recorded as either
9 present or absent;

10 (C) The substance of all matters proposed, discussed,
11 and decided;

12 (D) The views of the participants;

13 (E) A record, by individual member, of any votes
14 taken; and

15 (F) Any other information that any member of the
16 board requests be included or reflected in the
17 minutes;

18 (4) Not be required to produce a full transcript or audio
19 or video recording of any public meeting, unless
20 otherwise required by law;



1 ~~[-3-]~~ (5) ~~[Make available]~~ Post the written minutes from
2 public meetings;

3 (A) At a publicly accessible area in the charter
4 school's office so the minutes are available for
5 review during regular business hours; and

6 (B) On the charter school's internet website,
7 within ~~[thirty days and maintain]~~ sixty days of the
8 public meeting or no less than five days prior to the
9 next public meeting, whichever is sooner; and

10 (6) Maintain a list of the current names and contact
11 information of the governing board's members and
12 officers:

13 (A) In the charter school's office so ~~[as to be]~~ it
14 is available for review during regular business
15 hours; and

16 (B) On the charter school's internet website."

17 SECTION 4. Section 302D-13, Hawaii Revised Statutes, is
18 amended by amending subsection (b) to read as follows:

19 "(b) Any community, department school, school community
20 council, group of teachers, group of teachers and
21 administrators, or nonprofit organization may submit a letter of



S.B. NO. 2780

1 intent to an authorizer to form a charter school and establish
2 an applicant governing board. An applicant governing board may
3 develop a charter application pursuant to this section; provided
4 that:

5 (1) An applicant governing board established by a
6 community may develop a charter application for a
7 start-up charter school;

8 (2) An applicant governing board established by a
9 department school or a school community council may
10 develop a charter application for a conversion charter
11 school;

12 (3) An applicant governing board established by a group of
13 teachers or a group of administrators may develop a
14 charter application for a start-up or conversion
15 charter school; and

16 (4) A nonprofit organization may:

17 (A) Establish an applicant governing board that is
18 separate from the nonprofit organization and
19 develop a charter application for a start-up or
20 conversion charter school; or



1 (B) Establish an applicant governing board that shall
2 be the board of directors of the nonprofit
3 organization and may develop a charter
4 application for a conversion charter school;
5 provided that any nonprofit organization that
6 seeks to manage and operate a conversion charter
7 school shall:

8 (i) Submit to the authorizer at the time of the
9 charter application bylaws or policies that
10 describe the manner in which business is
11 conducted and policies that relate to the
12 management of potential conflict of interest
13 situations;

14 (ii) Have experience in the management and
15 operation of public or private schools or,
16 to the extent necessary, agree to obtain
17 appropriate services from another entity or
18 entities possessing such experience; [and]

19 (iii) Not interfere in the operations of the
20 department school to be converted until



1 otherwise authorized by the authorizer in
2 consultation with the department[-]; and
3 (iv) Have the same protections that are afforded
4 to all other governing boards in its role as
5 the conversion charter school governing
6 board."

7 SECTION 5. Section 302D-18, Hawaii Revised Statutes, is
8 amended by amending subsection (h) to read as follows:

9 "(h) An authorizer shall develop revocation and nonrenewal
10 processes that:

- 11 (1) Provide charter contract holders with a timely
12 notification of the prospect of revocation or non-
13 renewal and the reasons for such possible closure;
- 14 (2) Allow charter contract holders a reasonable amount of
15 time in which to prepare a response;
- 16 (3) Provide charter contract holders with an opportunity
17 to submit documents and give testimony challenging the
18 rationale for closure and supporting the continuation
19 of the school at an orderly proceeding held for that
20 purpose; provided that the proceeding shall not be
21 subject to chapter 91;



- 1 (4) Allow charter contract holders access to
- 2 representation by counsel, subject to section 28-8.3,
- 3 and to call witnesses on their behalf;
- 4 (5) Permit the recording of proceedings described in
- 5 paragraph (3); and
- 6 (6) After a reasonable period for deliberation, require a
- 7 final determination to be made and conveyed in writing
- 8 to the charter contract holders."

9 SECTION 6. Section 302D-28, Hawaii Revised Statutes, is
10 amended by amending subsection (h) to read as follows:

11 "(h) No charter school may assess tuition[-]; provided
12 that a charter school may assess and collect special fees and
13 charges from students for co-curricular activities. Any special
14 fees and charges collected pursuant to this subsection shall be
15 deposited into insured checking or savings accounts and expended
16 by each individual charter school."

17 SECTION 7. Section 302D-34, Hawaii Revised Statutes, is
18 amended by amending subsection (c) to read as follows:

19 "(c) A conversion charter school shall:
20 (1) Enroll any student who resides within the school's
21 former geographic service area pursuant to section



1 302A-1143, for the grades that were in place when the
2 department school converted to a charter school;
3 provided that the department may consult with a
4 conversion charter school every three years to
5 determine whether realignment of the charter school's
6 service area is appropriate given population shifts
7 and the department's overall service area reviews;
8 ~~[-(2) Follow the department's procedures regarding~~
9 ~~enrollment, including but not limited to geographic~~
10 ~~exceptions and enrollment preferences,]~~ and
11 [-(3)] (2) Be subject to subsection (b) for [grades]:
12 (A) Grades that were not in place when the school
13 converted to a public charter school[-]; and
14 (B) For any seats still available at the charter
15 school after the enrollment of all students
16 desiring to attend the charter school who reside
17 within the school's former geographic service
18 area pursuant to section 302A-1143."

PART II

20 SECTION 8. Section 92-6, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



- 1 "(a) This part shall not apply:
- 2 (1) To the judicial branch~~[]~~; and
- 3 (2) To adjudicatory functions exercised by a board and
- 4 governed by sections 91-8 and 91-9, or authorized by
- 5 other sections of the Hawaii Revised Statutes. In the
- 6 application of this subsection, boards exercising
- 7 adjudicatory functions include, but are not limited
- 8 to, the following:
- 9 (A) Hawaii labor relations board, chapters 89 and
- 10 377;
- 11 (B) Labor and industrial relations appeals board,
- 12 chapter 371;
- 13 (C) Hawaii paroling authority, chapter 353;
- 14 (D) Civil service commission, chapter 26;
- 15 (E) Board of trustees, employees' retirement system
- 16 of the State of Hawaii, chapter 88;
- 17 (F) Crime victim compensation commission, chapter
- 18 351; ~~[and]~~
- 19 (G) State ethics commission, chapter 84~~[]~~; and



1 (H) The state public charter school commission,
 2 established pursuant to section 302D-3,
 3 notwithstanding any other law to the contrary."

PART III

5 SECTION 9. Statutory material to be repealed is bracketed
 6 and stricken. New statutory material is underscored.

7 SECTION 10. This Act shall take effect upon its approval.

8

INTRODUCED BY:

Michelle Fedani

Matt R

Don D. Dickerson

Jessamine Chun Oakland



S.B. NO. 2780

Report Title:

Charter Schools; Rules; Fees

Description:

Authorizes the charter school commission to adopt interim rules. Establishes requirements for meeting minutes. Authorizes charter schools to assess fees and charges for co-curricular activities.

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



Senator Michelle N. Kidani, Chair
Senator Breene Harimoto, Vice Chair

Senate Committee on Education

Senate Bill 2780
Relating to Charter Schools

Monday, February 1, 2016; 1:15 PM
Conference Room 229, State Capitol

Testimony

Chair Kidani, Vice Chair Harimoto and members of the Committee, my name is Jim Williams. I am a member of the Board of Education and chair of the Board's special committee (permitted interaction group) currently investigating whether to recommend that the Board conduct a "special review" of the performance of the Charter School Commission. Since the Board has not yet taken any positions on proposed legislation, including SB 2780, I am testifying as an individual. Thank you for this opportunity to present this testimony in opposition to SB 2780.

Recently I joined several of my colleagues on the Board in conducting a "listening tour" to hear the concerns of charter schools regarding the Charter School Commission. My report to the Board on the listening tour concluded that "the concerns that have been expressed during this listening tour are of such significant breadth and depth that more formal investigation by the Board is warranted." I will ask the Board's staff to provide a copy of the full report to you and members of this Committee.

Based on feedback received, on my understanding of HRS 302D, and on my own knowledge of charter schools, I believe the public interest and the interests of charter school students would be served best by the Committee holding this bill. Below are brief comments on pertinent sections of the bill:

Section 1, permitting interim rules for 18 months. The Commission has had sufficient time to enact rules. At a time when charter schools have expressed significant concerns about the decision-making processes of the Commission, it would not be prudent to grant additional unilateral powers to the Commission.

Section 2, regarding technical support to applicants. While I do not object to this provision, I do not believe it is necessary, and it should not be used as a justification for keeping this bill alive.

Section 3, placing additional requirements on charter schools for posting of documents. The current requirements are sufficient to protect the interests of charter school stakeholders and the public. In my view, it is unnecessary and unfair to impose additional requirements. The Commission should focus its efforts on supporting the requirements already in the law.

Section 4, protections for governing boards on applicants. Applicants are not government entities until their applications are approved by the Commission. This proposal seems contrary to wise public policy.

Section 5, exempting Commission decisions regarding revocation and non-renewal from Chapter 91. Revocation and non-renewal are the most significant and high stakes decisions the Commission can make. Transparency and due process are especially important for all concerned during Commission decision-making on these and related decisions. I urge this Committee to refrain from approving this proposal in any form.

Section 6, permitting charter schools to charge certain fees. This proposal is unnecessary and should not be used as a reason to keep this bill alive.

Section 7, relating to enrollment in conversion charter schools. This proposal is unnecessary, as the Commission already has the authority to deal with this issue, if it would properly enact appropriate rules for the purpose.

Section 8, specifically including the Commission as a board that exercises adjudicatory functions. This is a particularly objectionable proposal. It would potentially allow the Commission to claim that it was making certain high stakes decisions about charter schools in private, due to its “adjudicatory functions.” Unlike the Board of Education (which is NOT on the list to which this bill would add the Commission) the Commission does not handle appeals from agencies not under its direct control. The only appeals heard by the Commission are related to charter school applicants and charter schools. These types of appeals should not be termed “adjudicatory” as they are part of the Commission’s core responsibilities.

In summary, key provisions of this bill are highly objectionable and others are unnecessary. I respectfully recommend that the Committee hold SB 2780.

Thank you for considering my individual testimony.

Jim Williams
60 N. Beretania St.
Honolulu, Hawaii 96817

HB2205 HD1



Submit Testimony

Measure Title: RELATING TO CHARTER SCHOOLS.
Report Title: Charter Schools; Rules; Fees
Description: Establishes requirements for public charter school board meetings. Exempts public charter school commission from certain public meeting requirements. Authorizes charter schools to assess fees and charges for co-curricular activities. (HB2205 HD1)
Companion: [SB2780](#)
Package: None
Current Referral: EDN, JUD, FIN
Introducer(s): TAKUMI, OHNO

Sort by Date	Status	Text
1/25/2016	H	Pending introduction.
1/27/2016	H	Introduced and Pass First Reading.
1/27/2016	H	Referred to EDN, JUD, FIN, referral sheet 3
2/2/2016	H	Bill scheduled to be heard by EDN on Monday, 02-08-16 2:00PM in House conference room 309.
2/8/2016	H	The committees on EDN recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 8 Ayes: Representative(s) Takumi, Ohno, Aquino, Choy, Ichiyama, Ing, Ito, Kong; Ayes with reservations: Representative(s) Matsumoto, Tupola; Noes: none; and 2 Excused: Representative(s) Say, Tsuji.
2/12/2016	H	Reported from EDN (Stand. Com. Rep. No. 273-16) as amended in HD 1, recommending passage on Second Reading and referral to JUD.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

HB2205 HD1

Honolulu, Hawaii

February 12, 2016

RE: H.B. No. 2205
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 2205 entitled:

"A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS,"

begs leave to report as follows:

The purpose of this measure is to make clarifying and conforming, or housekeeping amendments to certain statutory provisions governing charter schools, including by:

- (1) Allowing the State Public Charter School Commission to issue interim rules by Commission directives exempt from public-notice, public-hearing, and gubernatorial-approval requirements;
- (2) Prohibiting the State Public Charter School Commission from providing technical support to prospective charter school applicants that would directly and substantially affect its decision related to the approval or denial of the charter application;
- (3) Amending requirements for charter school governing boards regarding the contents and posting of meeting agendas and minutes;
- (4) Providing a nonprofit organization that seeks to manage and operate a conversion charter school with the same protections that are afforded to all other governing



boards in its role as the conversion charter school governing board;

- (5) Specifying that State Public Charter School Commission hearings on revocation or nonrenewal of a charter contract are not subject to Chapter 91, Hawaii Revised Statutes;
- (6) Expressly allowing charter schools to assess and collect special fees and charges from students for co-curricular activities;
- (7) Requiring conversion charter schools to apply the same enrollment procedures as start-up charter schools, which may include enrollment preferences, for any seats still available after the enrollment of students who reside within the school's former geographic service area; and
- (8) Expressly excluding the State Public Charter School Commission from open-meeting requirements for the exercise of adjudicatory functions in declaratory rulings and contested case hearings.

The State Public Charter School Commission and a concerned individual supported this measure. The Hawaii Educational Policy Center, League of Women Voters of Hawaii, Common Cause Hawaii, Kamehameha Schools, Council for Native Hawaiian Advancement, Connections Public Charter School, Hawaii Academy of Arts and Science Public Charter School, Kua o ka La Public Charter School, Ka Waihona o ka Na'auao Public Charter School, Halau Ku Mana Public Charter School, and numerous concerned individuals opposed the measure. The Office of Hawaiian Affairs and Hawaii Public Charter Schools Network submitted comments.

Your Committee has amended this measure by:

- (1) Deleting the provision allowing the State Public Charter School Commission to issue interim rules;
- (2) Clarifying that the governing boards of charter schools must post written minutes from public meetings within sixty calendar days after the public meeting or five calendar days after the next public meeting, whichever is sooner;



- (3) Clarifying that State Public Charter School Commission hearings for revocation or nonrenewal of a charter contract are governed by the specific statutory requirements for these proceedings and are not subject to requirements for an agency hearing under Chapter 91, Hawaii Revised Statutes;
- (4) Clarifying that the State Public Charter School Commission's exclusion from open meetings for the exercise of adjudicatory functions pertains solely to a matter on which the Commission has already rendered a decision in a public meeting;
- (5) Changing its effective date to July 1, 2050, to facilitate further discussion; and
- (6) 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. 2205, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2205, H.D. 1, and be referred to your Committee on Judiciary.

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



ROY M. TAKUMI, Chair



A BILL FOR AN ACT

RELATING TO CHARTER SCHOOLS.

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

1 PART I

2 SECTION 1. Section 302D-5, Hawaii Revised Statutes, is
3 amended by amending subsection (g) to read as follows:

4 "(g) An authorizer shall not provide technical support to
5 a prospective charter school applicant, an applicant governing
6 board, or a charter school it authorizes in cases where the
7 technical support will directly and substantially impact any
8 authorizer decision related to the [authorization,] approval or
9 denial of the charter application or the renewal, revocation, or
10 nonrenewal of the charter [school-] contract. This subsection
11 shall not apply to technical support that an authorizer is
12 required to provide to a charter school pursuant to federal
13 law."

14 SECTION 2. Section 302D-12, Hawaii Revised Statutes, is
15 amended by amending subsection (h) to read as follows:



1 "(h) Charter schools and their governing boards shall be
2 exempt from the requirements of chapters 91 and 92. The
3 governing boards shall:

4 (1) Hold meetings open to the public;

5 (2) ~~[Make available]~~ Post the notices and agendas of
6 public meetings:

7 (A) At a publicly accessible area in the charter
8 school's office so ~~[as to be]~~ they are available
9 for review during regular business hours; and

10 (B) On the charter school's internet website,
11 not less than six calendar days prior to the public
12 meeting, unless a waiver is granted by the authorizer
13 or authorizer's designee in the case of an emergency;
14 [and]

15 (3) Keep written minutes of all public meetings that shall
16 include:

17 (A) The date, time, and place of the meeting;

18 (B) The members of the board recorded as either
19 present or absent;

20 (C) The substance of all matters proposed, discussed,
21 and decided;



- 1 (D) The views of the participants;
- 2 (E) A record, by individual member, of any votes
- 3 taken; and
- 4 (F) Any other information that any member of the
- 5 board requests be included or reflected in the
- 6 minutes;
- 7 (4) Not be required to produce a full transcript or audio
- 8 or video recording of any public meeting, unless
- 9 otherwise required by law;
- 10 [~~3~~] (5) [Make available] Post the written minutes from
- 11 public meetings:
- 12 (A) At a publicly accessible area in the charter
- 13 school's office so the minutes are available for
- 14 review during regular business hours; and
- 15 (B) On the charter school's internet website,
- 16 within [~~thirty days and maintain~~] sixty calendar days
- 17 after the public meeting or five calendar days after
- 18 the next public meeting, whichever is sooner; and
- 19 (6) Maintain a list of the current names and contact
- 20 information of the governing board's members and
- 21 officers:



1 (A) In the charter school's office so [~~as to be~~] it
2 is available for review during regular business
3 hours; and

4 (B) On the charter school's internet website."

5 SECTION 3. Section 302D-13, Hawaii Revised Statutes, is
6 amended by amending subsection (b) to read as follows:

7 "(b) Any community, department school, school community
8 council, group of teachers, group of teachers and
9 administrators, or nonprofit organization may submit a letter of
10 intent to an authorizer to form a charter school and establish
11 an applicant governing board. An applicant governing board may
12 develop a charter application pursuant to this section; provided
13 that:

14 (1) An applicant governing board established by a
15 community may develop a charter application for a
16 start-up charter school;

17 (2) An applicant governing board established by a
18 department school or a school community council may
19 develop a charter application for a conversion charter
20 school;



- 1 (3) An applicant governing board established by a group of
2 teachers or a group of administrators may develop a
3 charter application for a start-up or conversion
4 charter school; and
- 5 (4) A nonprofit organization may:
- 6 (A) Establish an applicant governing board that is
7 separate from the nonprofit organization and
8 develop a charter application for a start-up or
9 conversion charter school; or
- 10 (B) Establish an applicant governing board that shall
11 be the board of directors of the nonprofit
12 organization and may develop a charter
13 application for a conversion charter school;
14 provided that any nonprofit organization that
15 seeks to manage and operate a conversion charter
16 school shall:
- 17 (i) Submit to the authorizer at the time of the
18 charter application bylaws or policies that
19 describe the manner in which business is
20 conducted and policies that relate to the



- 1 management of potential conflict of interest
2 situations;
- 3 (ii) Have experience in the management and
4 operation of public or private schools or,
5 to the extent necessary, agree to obtain
6 appropriate services from another entity or
7 entities possessing such experience; [~~and~~]
- 8 (iii) Not interfere in the operations of the
9 department school to be converted until
10 otherwise authorized by the authorizer in
11 consultation with the department [~~-~~]; and
- 12 (iv) Have the same protections that are afforded
13 to all other governing boards in its role as
14 the conversion charter school governing
15 board."

16 SECTION 4. Section 302D-18, Hawaii Revised Statutes, is
17 amended by amending subsection (h) to read as follows:

18 "(h) An authorizer shall develop revocation and nonrenewal
19 processes that:



- 1 (1) Provide charter contract holders with a timely
2 notification of the prospect of revocation or non-
3 renewal and the reasons for such possible closure;
- 4 (2) Allow charter contract holders a reasonable amount of
5 time in which to prepare a response;
- 6 (3) Provide charter contract holders with an opportunity
7 to submit documents and give testimony challenging the
8 rationale for closure and supporting the continuation
9 of the school at an orderly proceeding held for that
10 purpose; provided that the proceeding shall be
11 governed by the requirements set forth in this section
12 and not additionally subject to requirements
13 established for an agency hearing under chapter 91;
- 14 (4) Allow charter contract holders access to
15 representation by counsel, subject to section 28-8.3,
16 and to call witnesses on their behalf;
- 17 (5) Permit the recording of proceedings described in
18 paragraph (3); and
- 19 (6) After a reasonable period for deliberation, require a
20 final determination to be made and conveyed in writing
21 to the charter contract holders."



1 SECTION 5. Section 302D-28, Hawaii Revised Statutes, is
2 amended by amending subsection (h) to read as follows:

3 "(h) No charter school may assess tuition[-]; provided
4 that a charter school may assess and collect special fees and
5 charges from students for co-curricular activities. Any special
6 fees and charges collected pursuant to this subsection shall be
7 deposited into insured checking or savings accounts and expended
8 by each individual charter school."

9 SECTION 6. Section 302D-34, Hawaii Revised Statutes, is
10 amended by amending subsection (c) to read as follows:

11 "(c) A conversion charter school shall:

12 (1) Enroll any student who resides within the school's
13 former geographic service area pursuant to section
14 302A-1143, for the grades that were in place when the
15 department school converted to a charter school;
16 provided that the department may consult with a
17 conversion charter school every three years to
18 determine whether realignment of the charter school's
19 service area is appropriate given population shifts
20 and the department's overall service area reviews;



1 ~~[(2) Follow the department's procedures regarding~~
2 ~~enrollment, including but not limited to geographic~~
3 ~~exceptions and enrollment preferences,] and~~
4 ~~[(3)]~~ (2) Be subject to subsection (b) for ~~[grades]~~:
5 (A) Grades that were not in place when the school
6 converted to a public charter school~~[-]~~; and
7 (B) For any seats still available at the charter
8 school after the enrollment of all students
9 desiring to attend the charter school who reside
10 within the school's former geographic service
11 area pursuant to section 302A-1143."

PART II

13 SECTION 7. Section 92-6, Hawaii Revised Statutes, is
14 amended by amending subsection (a) to read as follows:

15 "(a) This part shall not apply:
16 (1) To the judicial branch~~[-]~~; and
17 (2) To adjudicatory functions exercised by a board and
18 governed by sections 91-8 and 91-9, or authorized by
19 other sections of the Hawaii Revised Statutes. In the
20 application of this subsection, boards exercising



Report Title:

Charter Schools; Rules; Fees

Description:

Establishes requirements for public charter school board meetings. Exempts public charter school commission from certain public meeting requirements. Authorizes charter schools to assess fees and charges for co-curricular activities. (HB2205 HD1)

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