

DAVID Y. IGE
GOVERNOR



JOHN S. S. KIM
CHAIRPERSON

STATE OF HAWAII
**STATE PUBLIC CHARTER SCHOOL
COMMISSION ('AHA KULA HO'ĀMANA)**
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813
Tel: (808) 586-3775 Fax: (808) 586-3776

DATE: June 13, 2019

TO: Catherine Payne, Chairperson
Board of Education

FROM: John S. S. Kim, Chairperson
State Public Charter School Commission

AGENDA ITEM: Recommendation to the Board of Education for a Waiver from the High School Graduation Requirements for Hawaii Technology Academy

I. DESCRIPTION

Recommendation to the Board of Education for a waiver from the high school graduation requirements set forth in BOE Policy 102-15, High School Graduation and Commencement.

II. POLICY CONTEXT AND AUTHORITY

Graduation Requirements for High School: Charter contract section 4.4 requires that schools “comply with the the high school graduation requirements set in BOE Policy 102-15, as may be amended, provided that the School may request a waiver of this policy from the BOE and shall notify the Commission in writing of any approved waivers within 14 business days.”

A memo from the Board of Education dated May 13, 2019, *Process for charter schools to request waivers from Board of Education Policy 102-15, entitled “High School Graduation Requirements and Commencement,”* details the waiver request process for charter schools and the waiver application requirements. This memo is attached as **Exhibit 1**.

III. BACKGROUND

At its June 7, 2016 general business meeting, the Board of Education (BOE) approved the Hawaii Technology Academy waiver request to Board Policy 104.1, Graduation and Related. Board Policy 104.1 was a predecessor policy to the current BOE Policy 102-15, High School Graduation and Commencement. This waiver was effective beginning with the 2016-2017 school year.

At its May 3, 2018 general business meeting, the BOE granted Hawaii Technology Academy an extension to the waiver of Board Policy 102-15 to be applicable for the graduating classes of 2017 through 2022.

At its June 13, 2019 general business meeting, the Commission received information for consideration on Hawaii Technology Academy's request. The request is to continue its current exemption to Board Policy 102-15 (**Exhibit 2**). Hawaii Technology Academy's current exemption sets higher social studies requirements in Modern Hawaii History and Participation in Democracy than is required by the BOE.

The exemption will apply to the class of 2023 who will be incoming freshman during school year 2019-2020. Since Hawaii Technology Academy's current charter contract is effective from July 1, 2017 through June 30, 2022, if approved, the exemption would also apply to the class of 2024, and 2025. This request is consistent with Hawaii Technology Academy's educational program as stated in Exhibit A of the charter contract.

The Commission took the following action, **"Move to recommend to the Board of Education Hawaii Technology Academy's request for a waiver from the high School graduation requirement."**

Exhibit 1

Board of Education memo

May 13, 2019



**STATE OF HAWAII
BOARD OF EDUCATION**
P.O. BOX 2360
HONOLULU, HAWAII 96804

May 13, 2019

TO: John S.S. Kim
Chairperson, State Public Charter School Commission

Sione Thompson
Executive Director, State Public Charter School Commission

FROM: Catherine Payne
Chairperson, Board of Education

SUBJECT: Process for charter schools to request waivers from Board of Education Policy 102-15, entitled "High School Graduation Requirements and Commencement"

Charter schools can request, and the Board of Education ("Board") can grant, waivers from the state high school graduation requirements established by Board Policy 102-15. This memorandum outlines the process and provides guidance for requesting waivers.

Waiver Request Process

The process for requesting a waiver is as follows:

1. A charter school interested in applying for a waiver submits an application to the State Public Charter School Commission ("Commission") (see below for guidance on the application).
2. The charter school presents its waiver request at one of the Commission's meetings.
3. The Commission vets the request and votes on whether to recommend that the Board grant the waiver, recommend that the Board deny the waiver request, or decline to make a recommendation to the Board.
4. The Commission provides its recommendation to the Board through a written submittal, which the Board considers at a general business meeting. If the Commission makes a recommendation, its submittal must include a summary of the application for a waiver and the Commission's rationale for its recommendation to grant the waiver or not. If the Commission declines to make a recommendation, its submittal must include a summary of the application for a waiver and the Commission's rationale for declining to make a recommendation.

A representative of the Commission should be present at the Board's general business meeting to answer any questions. A representative of the charter school can also be present if the charter school decides it is necessary.

5. The Board considers the provided information and decides on whether to grant the request for a waiver.

If the Board amends Board Policy 102-15, the Commission should inform all of the charter schools it oversees, as the policy change would affect all public schools, including charter schools. If the changes to the graduation requirements occur during the period for which the Board granted a charter school a waiver from the graduation requirements, the Board will inform the charter school and Commission, and the charter school will need to apply for another waiver.

If a charter school with an active waiver plans to change its graduation requirements, the charter school will need to apply for, and receive, another waiver before implementing its new graduation requirements. If a charter school with an active waiver plans to continue using its graduation requirements beyond the expiration of the waiver, the charter school will need to apply for, and receive, another waiver in the final year of the waiver and before it expires.

To ensure a waiver request is able to come before both the Commission and Board in time for implementation, a charter school should submit a request no later than the April preceding the school year in which the charter school plans for the waiver to take effect. However, it is highly recommended that a charter school seeking a waiver submit a request no later than the October preceding the school year in which it plans for the waiver to take effect in the event the Board denies the waiver request. In such an event, the charter school would still have time to plan for the next school year using the graduation requirements set forth in Board Policy 102-15.

Waiver Application Requirements

The application that a charter school submits to the Commission (see step one in the process outlined above) must contain the following information:

- Name of charter school applying for the waiver, as contained within its current charter contract;
- The proposed Effective School Years that do not exceed length of current charter contract and the associated Applicable Graduating Classes (see the applicability of effective waivers described below);
- A chart, in a similar format to the chart in Board Policy 102-15, outlining the charter school's proposed graduation requirements and a description of the differences between the proposed graduation requirements and the graduation requirements set in Board Policy 102-15; and
- An explanation justifying how the proposed graduation requirements have a degree of rigor that is equal to or greater than the rigor of the graduation requirements set by Board Policy 102-15 for all high school graduates, or if

proposed graduation requirements have a lower degree of rigor, an explanation justifying how the proposed graduation requirements are more beneficial to the charter school's students than the graduation requirements set in Board Policy 102-15.

In the event applications have already been submitted and the aforementioned information was not included, the Commission should follow up with the charter school to obtain the information. In making its recommendation to the Board, the Commission should consider whether the application provides sufficient justification demonstrating that the rigor of the charter school's proposed graduation requirements is equal to or greater than the rigor of the graduation requirements set in Board Policy 102-15. If the Commission finds that the proposed graduation requirements are less rigorous, the Commission should consider whether the application provides sufficient justification demonstrating how, despite the reduced rigor, the proposed graduation requirements are more beneficial to the charter school's students than the graduation requirements set in Board Policy 102-15.

Applicability of Effective Waivers

Because it is unfair to change graduation requirements midway through a student's high school career, waivers from Board Policy 102-15 follow graduating classes from the time students enter the charter school as freshmen until they graduate from the charter school. Therefore, waivers have two effective dates tied to each other: one based on school years ("Effective School Years") and another based on graduating classes ("Applicable Graduating Classes").

The Effective School Years indicates the school years in which the waiver applies to the incoming freshmen class. The Effective School Years can be a range of school years but should never exceed final school year covered under the charter school's current charter contract term.

The Applicable Graduating Classes indicates each of the graduating classes to which the waiver applies based on the Effective School Years. The graduating classes within the Applicable Graduating Classes are calculated by assuming graduation in four years for each of the freshmen classes covered under the Effective School Years. For example, the Applicable Graduating Classes for a waiver with Effective School Years from the 2019-2020 through 2022-2023 school years would be the graduating classes of 2023, 2024, 2025, and 2026. Therefore, even if the charter school's waiver expired after the 2022-2023 school year, it would remain effective for the graduating classes of the next three subsequent school years, but the graduating class of 2027 would need to follow the graduation requirements set by Board Policy 102-15.

The waiver applies to any students who transfer into the charter school after ninth grade in the same way it applies to their other class peers at the charter school. Conversely, any student in a charter school with an active waiver who transfers to a different public school will be subject to the graduation requirements of the school to which he or she transfers. It is the responsibility of any charter school with a waiver from Board Policy

102-15 to ensure its students and parents understand how the school's graduation requirements are unique from other public schools.

If charter schools have any questions regarding the waiver process, application, or applicability, they should contact the Commission. The Commission will work with the Board to address any questions.

Exhibit 2

Hawaii Technology Academy
Request for Exemption to Board Policy 102-15



Hawaii Technology Academy
94-450 Mokuola St. Suite 200 Waipahu, HI 96797
Phone: 808-676-5444 • Fax: 808-676-5470
myhta.org • info@myhta.org

April 11, 2019

To Whom It May Concern:

Hawaii Technology Academy Public Charter School (HTA) requests an extension to the 2016 graduation requirement waiver for the required courses of Modern History of Hawaii and Participation in Democracy. Similar to Kapaa High School, Campbell High School, Waianae High School, Kailua High School and Farrington High School, HTA operates on a block schedule. This means that students are enrolled in only 3 or 4 courses per semester that run for “double” blocks of 75-100 minutes per day for a total of 400 minutes per week. In HTA’s blended learning model, this equates to 225 minutes (three 75 minute class periods) of face-to-face instruction per week and 75 minutes of virtual class time per week and 100 minutes of community/placed based learning per week. The 400 minutes per week for an entire semester meets DOE Regulation 4530.1 which states that:

“one credit is awarded for each course meeting formally for approximately 200 minutes per week, and successfully completed by the student during the period of one year.” This calculates to approximately 120 hours per credit course (or 60 hours per 1/2 credit course).

At HTA each single semester course is worth 1 Carnegie credit as the total number of instructional minutes per week and the content delivered over the course of the semester equates to what would traditionally comprise a full year single credit course. HTA does not offer any courses that run for a single quarter which would equate, in typical DOE credits to .5 on the block schedule.

HTA built out the curriculum for both courses to ensure that the content, assignments, assessments and projects were worthy of a full credit. Working with the DOE standards for each course, HTA’s Social Studies faculty (working under the guidance of the Director of Pedagogical Practice) redesigned the courses to ensure that the scope of the classes extends learning through enhanced content, deep dives, multi-unit performance based assessments and experiential learning activities. Both courses have significant place based learning components, internship opportunities and “real time” redesign elements to ensure that the students are considering current topics in local, national and global issues and politics.



Hawaii Technology Academy
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As students enrolled in Participation in Democracy and Modern History of Hawaii are engaging in a full credit's worth of class time, content, skill building and performance based assessments, HTA requests that the Charter School Commission and Board of Education grant our request for a graduation waiver that permits the awarding of 1 Carnegie credit each (rather than the typically awarded .5 for a single semester) for Modern History of Hawaii and Participation in Democracy.

Please do not hesitate to contact me if you have any additional questions. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Fitzgerald'.

Leigh Fitzgerald
Executive Director
lfitzgerald@myhta.org
808-283-6155

Name of Charter School: Hawaii Technology Academy Public Charter School

Effective School Years: 2020-2025 (Charter Contract valid until 2022)

Course Requirement	Hawaii DOE Requirement	HTA Proposed Request
Modern Hawaii History (Social Studies Requirement)	.5 Credit	1 Credit
Participation in Democracy (Social Studies Requirement)	.5 Credit	1 Credit

Rationale:

Similar to Kapaa High School, Campbell High School, Waianae High School, Kailua High School and Farrington High School, HTA operates on a block schedule. This means that students are enrolled in only 3 or 4 courses per semester that run for “double” blocks of 75-100 minutes per day for a total of 400 minutes per week. In HTA’s blended learning model, this equates to 225 minutes (three 75 minute class periods) of face-to-face instruction per week and 75 minutes of virtual class time per week and 100 minutes of community/placed based learning per week. The 400 minutes per week for an entire semester meets DOE Regulation 4530.1 which states that:

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As students enrolled in Participation in Democracy and Modern History of Hawaii are engaging in a full credit's worth of class time, content, skill building and performance based assessments, HTA requests that the Charter School Commission and Board of Education grant our request for a graduation waiver that permits the awarding of 1 carnegie credit each (rather than the typically awarded .5 for a single semester) for Modern History of Hawaii and Participation in Democracy.