



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

February 7, 2019

TO: Catherine Payne
Chairperson, Board of Education

FROM: Catherine Payne
Chairperson, Board of Education

AGENDA ITEM: Board Action on Board policy positions for the 2019 Legislative Session: charter school facilities, accountability and autonomy, and system oversight

I. DESCRIPTION

At its December 6, 2018 general business meeting, the Board of Education (“Board”) adopted policy positions supporting proposed legislation that advances the Board and Department of Education’s Strategic Priorities for School Year 2018-2019, policy positions relating to the Hawaii State Public Library System, and other general policy positions.¹ At that same meeting, the Board also established an ad hoc committee to present, discuss, and negotiate its policy positions for the purposes of engaging in the 2019 Legislative Session (“Legislative Ad Hoc Committee”).²

A number of legislative bills relating to charter schools have arisen on which the Board may want to authorize its Legislative Ad Hoc Committee to take positions. Therefore, I recommend adopting the additional policy positions relating to charter schools described herein.

CHARTER SCHOOL POLICY POSITIONS

The Board supports legislation that address charter school facilities needs as a longstanding and unresolved issue that the Board includes in its annual charter school report to the Legislature every year.

The Board supports legislation that requires charter school authorizers to hold charter schools accountable to academic, financial, and organizational outcomes, including compliance with applicable laws. However, the Board opposes legislation that does so at

¹ The policy positions the Board adopted at its December 6, 2018 general business meeting are available at:

http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/GBM_20181206_Action%20on%20Board%20policy%20positions%202019%20legislative%20session.pdf .

² See this memorandum for more information on the Legislative Ad Hoc Committee:

http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/GBM_20181206_Action%20on%20Ad%20Hoc%20Committee%20re%202019%20Legislative%20Session.pdf.

the expense of operational autonomy necessary for charter schools to fulfill their missions and act as independent public schools.

The Board believes that, as public elementary and secondary institutions, charter school authorizers and charter schools should ultimately fall under the Board's purview, and the Board opposes legislation that propose to terminate that oversight authority or transfer it elsewhere.

II. **RECOMMENDATION**

I recommend that the Board adopt the policy positions described in my memorandum dated February 7, 2019 and incorporate them into the policy positions it adopted at its December 6, 2018 general business meeting for the 2019 Legislative Session, as shown in **Exhibit A** attached to this memorandum.

Exhibit A
 Board's Policy Positions
 (approved December 6, 2018, amended February 7, 2019)

The Board of Education ("Board") supports proposed legislation that advances the Board and Department of Education's ("Department") Strategic Priorities for School Year 2018-2019 ("Strategic Priorities"). The table below describes the Strategic Priorities and the Board's policy positions associated with each Strategic Priority. Policy positions relating to the Hawaii State Public Library System and general policy positions the Board will not support are described after the table.

Strategic Priorities	The Board supports measures that...
<u>Department's budget for Fiscal Biennium 2019-2021</u>	<ul style="list-style-type: none"> • Addresses the needs identified in the Department's Board-approved budget.³
<u>Equity and access</u> Ensuring that the appropriate policies, structures, and resources are in place to guarantee the advancement of access and support structures that allow all students to engage in learning through the core curriculum design. This priority references special education and English Learners in particular, but does not preclude issues like civil rights and Title IX.	<ul style="list-style-type: none"> • Provide more resources for appropriate support structures that allow all students, especially those receiving special education or English learner services, to engage in learning • Protect students' civil rights • Advance equitable access to athletic facilities and opportunities for all students • Address Title IX compliance
<u>Safe learning environments that support students' well-being</u> Ensuring that the appropriate policies, structures, and resources are in place so learning environments that support all students' emotional and physical wellbeing can be cultivated. This includes things that range from physical facilities to policies that prohibit bullying and discrimination or support physical and mental health to addressing and preparing for natural and man-made disasters. A truly safe learning environment that supports students' well-being is one that students themselves want to be in so they attend school regularly and willingly, thereby reducing chronic absenteeism.	<ul style="list-style-type: none"> • Provide resources to ensure school facilities support students' emotional and physical wellbeing • Recognize the importance of addressing bullying, harassment, and discrimination in schools
<u>Student-centered school design</u>	<ul style="list-style-type: none"> • Expand early college opportunities • Increase career and technical education

³ The Department's Board-approved operating budget for Fiscal Biennium 2019-2021 is available here: http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/FIC_10182018_Action%20on%20DOE%20Proposed%20Operating%20Budget%202019-2021%20FB.pdf. The Department's Board-approved Capital Improvements Program budget for Fiscal Biennium 2019-2021 is available here: http://boe.hawaii.gov/Meetings/Notices/Meeting%20Material%20Library/FIC_10182018_Committee%20Action%20on%20DOE%27s%20Proposed%20CIP%20Budget%20for%202019-2021%20Fiscal%20Biennium.pdf.

Strategic Priorities	The Board supports measures that...
<p>Ensuring that the appropriate policies, structures, and resources are in place to support schools designed to engage students in a rigorous and innovative curriculum supported by a purposely designed learning environment with applied learning practices that are aligned to college and careers. Design includes every aspect of a school: physical facilities, school models, themes, resources, partners (families, communities, and organizations), school day schedule, pedagogical approaches, allocation of teacher collaboration time, technology, governance, and organizational structure.</p>	<ul style="list-style-type: none"> • Advance or provide resources for innovative, student-centered school design • Provide resources to expand pre-kindergarten opportunities
<p><u>Staff professional development, recruitment, and retention</u> Ensuring that the appropriate policies, structures, and resources are in place to allow for the establishment of a dynamic learning community designed to continuously develop staff capacity to lead the work that results in high student achievement and the development of clear leadership pathways, supports, and incentives that attract and retain talent.</p>	<ul style="list-style-type: none"> • Support leadership pipeline development • Expand teacher recruitment and retention initiatives, which provide teachers with incentives and resources or support a teaching career path
<p><u>Communication and engagement</u> Ensuring that the appropriate policies, structures, and resources are in place so the Department and Board thoughtfully and intentionally engage with students, staff, families, and community stakeholders in two-way communications that will help to inform decision-making and priority setting and improve transparency and access to information.</p>	<ul style="list-style-type: none"> • Support informed decision-making and priority setting through thoughtful and intentional engagement with stakeholders • Improve transparency and access to information to encourage an informed and engaged community of citizens

LIBRARIES POLICY POSITIONS

The Board supports legislation that allows the Board to recruit and retain exceptional talent to lead the Hawaii State Public Library System by raising the salary cap for the State Librarian position established by Section 312-2.1, Hawaii Revised Statutes.

The Board of Education (“Board”) supports proposed legislation that addresses the needs identified in the Hawaii State Public Library System’s Board-approved budget.⁴

⁴ The Hawaii State Public Library System’s Board-approved operating budget and Capital Improvements Program budget for Fiscal Biennium 2019-2021 is available here: <http://boe.hawaii.gov/Documents/HSPLS%20Revised%20FB%20Budget%20Request%20FY2020%20FY2021.pdf>

CHARTER SCHOOL POLICY POSITIONS

The Board supports legislation that address charter school facilities needs as a longstanding and unresolved issue that the Board includes in its annual charter school report to the Legislature every year.

The Board supports legislation that requires charter school authorizers to hold charter schools accountable to academic, financial, and organizational outcomes, including compliance with applicable laws. However, the Board opposes legislation that does so at the expense of operational autonomy necessary for charter schools to fulfill their missions and act as independent public schools.

The Board believes that, as public elementary and secondary institutions, charter school authorizers and charter schools should ultimately fall under the Board's purview, and the Board opposes legislation that propose to terminate that oversight authority or transfer it elsewhere.

GENERAL POLICY POSITIONS

The Board **does not** support proposed legislation that:

- Prevents or hinders the Board or Department from addressing the Strategic Priorities;
- Conflicts with the Board's power to formulate statewide educational policy as established by Article X, Section 3, of the Constitution of the State of Hawaii; or
- Creates additional duties or responsibilities for the Department or Board without appropriating adequate, commensurate resources to accomplish such duties or responsibilities.

The Board takes no position on legislation relating to the Board's governance structure, as the Board believes it is most appropriate for the Legislature and Governor to decide such matters. The Board will endeavor to provide the Legislature with any relevant information relating to Board governance matters to enable to the Legislature to make informed decisions.

The Board's positions on proposed legislation are in regards to matters of public policy only, and the Board defers to the Department (or its administratively attached agencies when appropriate) on operational and implementation matters.