

NEIL ABERCROMBIE  
GOVERNOR



KAREN STREET  
CHAIRPERSON

**STATE OF HAWAII**  
**PUBLIC CHARTER SCHOOL COMMISSION**  
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813  
Tel: 586-3775 Fax: 586-3776

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DATE: July 12, 2013

TO: Catherine Payne, Chairperson  
Performance & Accountability Committee

FROM: Tom Hutton, Executive Director

SUBJECT: Discussion/Recommendation on University Laboratory School's Request for Waiver from Board of Education Policy 4540 on Graduation Requirements for High School

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I. DESCRIPTION

That the Commission approve University Laboratory School's (ULS) request for a waiver from Board of Education (BOE) Policy 4540 on graduation requirements for high school.

II. AUTHORITY

Pursuant to §302D-16, HRS, the performance provisions within the charter contract executed between the Commission and a charter school shall be based on a performance framework that shall address, among other things, student academic growth, postsecondary readiness, as applicable for high schools, and performance and stewardship, including compliance with all applicable laws, rules, and terms of the charter contract.

III. BACKGROUND

The Commission's newly developed charter contract contains a provision requiring charter schools to comply with BOE policy 4540:

"Graduation Requirements for High Schools. The School shall comply with BOE Policy 4540, as the same may be amended from time to time, which shall apply starting with the incoming ninth graders for the school year 2013-2014, and shall provide evidence of such compliance; provided that the School may request a waiver of this Policy from the BOE."

BOE Policy 4540 establishes minimum course and credit requirements to receive a high school graduation diploma. However, it also contemplates the possibility of variance in these graduation requirements:

“DOE will establish a process for developing and approving all proficiency-based equivalents similar to the process followed for all other new Authorized Courses and Code Numbers.”

ULS is a public charter school that operates in partnership with the Curriculum Research & Development Group (CRDG), a research unit within the College of Education at the University of Hawai‘i. The school has requested a waiver from Board Policy 4540 because its graduation requirements are not identical to those set forth in that policy.

#### IV. DECISION MAKING STATEMENT

The graduation requirements set forth in the ULS plan are comparable to the requirements set forth by the BOE. ULS sets higher requirements in the core subject areas in lieu of as many elective courses. While the BOE requires 2.0 credits in World Language and Fine Arts, ULS requires 11.0. In contrast, while the BOE requires 6.0 overall electives, ULS requires 3.0. ULS requires more credits for graduation in all core areas except language arts and social studies, in which it requires the same number as BOE Policy 4540.

The details of the comparison are as follows:

- Language arts: Both require four credits
- Social Studies: Both require four credits
- Mathematics: ULS requires one extra credit in way of a geometry learning project
- Science: ULS requires one extra credit
- World Language, fine arts, career and technical education: ULS requires nine additional credits
- Physical Education: ULS requires .5 less credit
- Personal Transition Plan: ULS requires 1.5 additional credits by way of required seminars
- Electives: ULS requires three fewer credits than the BOE requirement
- Health: Both require .5 credits

While Commission staff intends to solicit from all charter schools information on their anticipated need for a waiver from BOE Policy 4540, and while some schools have expressed concern over their obligation to comply with that policy, the approval of this relatively straightforward request by ULS need not await development of more comprehensive guidelines governing more nuanced scenarios in which a waiver might be sought. Rather than seeking permission to set lower requirements for core subjects or to substitute project-based or proficiency-based requirements for Authorized Courses and Code Numbers, ULS seeks permission to set academic requirements higher than those required by BOE Policy 4540.

#### V. RECOMMENDATION

Motion to the Commission:

**“Moved that University Laboratory School’s request for a waiver from the requirements of Board of Education Policy 4540 be approved by the Commission and submitted to the Board of Education for its consideration.”**

**“Moved that the Commission staff, in conjunction with the Board of Education, develop a recommended process for reviewing future charter school requests from Board of Education Policy 4540.”**