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David Miyashiro
Executive Director

December 21, 2023

Hawaii State Board of Education
General Business Meeting
Warren Haruki, Chairperson
Kaimana Barcarse, Vice Chairperson

Aloha Chair Haruki, Vice Chair Barcarse, and Members of the Board,

Founded in 2017, HawaiiKidsCAN is a local nonprofit organization committed to ensuring that Hawaii has an excellent and equitable education system that reflects the true voices of our communities and, in turn, has a transformational impact on our children and our state. We strongly believe that all students should have access to excellent educational opportunities, regardless of family income levels and circumstances.

HawaiiKidsCAN would like to offer comments for Action Item D: Board action on report of findings and recommendations required by Act 174, Session Laws of Hawaii 2023, relating to computer science education.

We are incredibly grateful for the collective partnership of the BOE, DOE, and legislature to take up the important issue of computer science (CS) education. As computer science (CS) skills become more foundational to quality academic and career success, Hawaii must ensure that students have equitable access to CS courses and credits. In Hawaii, just 20% of public elementary schools offer computer science learning, and just 13.9% of all public school students were enrolled in a CS course in the 2021-2022 school year. When you consider that Hawaii currently has more than 2,000 open computing jobs, and that these open jobs have an average salary of \$94,618, it's clear that we are not fully setting our kids up for success. This is especially true given that Native Hawaiian public high school students are 3x times less likely in 2022-2023 to take foundational computer science courses than their white and Asian peers in Hawaii, and just 26% of students who took foundational computer science were female. This is a matter of generational sustainability in Hawaii, as the median price of a single-family home has topped \$1 million in most areas of Hawaii, the state has the fourth-

highest per capita rate of homelessness in the nation, and the islands have experienced net population loss five of the last six years.

Earlier this year, Ed Barnabas of Booz Allen Hamilton spoke at the Chamber of Commerce Hawaii's Future of Work Conference about Hawaii's technology workforce pathways. He noted that the COVID-19 pandemic, increase in remote work, and rapid advancements globally in AI, automation, robotics, and cyber has demanded a greater need for technical learning, upskilling, and STEM in our education system and a focus on ensuring diversity, equity, and inclusion in the tech industry. He also noted the major explosion of local job opportunities in roles such as information security analysts and software developers, which come with median salaries of over \$103,000.

The Hawaii DOE, along with partners like Code.org and STEMworks, has already led successful work to train and support local teachers to understand and incorporate CS across the K-12 system. The BOE has also played an important role, previously adopting the Computer Science Teachers Association's K-12 Standards in 2018. We are on the path toward achieving access and equity in CS education, but we'll only get there by continuing to take bold steps, such as adding a stand alone credit requirement for graduation. This is an opportunity for Hawaii to exert strong leadership and create a pathway for students of all backgrounds to enter high-wage, high-growth careers. Every student, regardless of background, should have the opportunity to survive and thrive in Hawaii.

Mahalo for your consideration,

David Miyashiro
Founding Executive Director
HawaiiKidsCAN



**Hawai‘i Public Charter School Network
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**BOE Testimony
General Business Meeting
December 21, 2023**

Aloha Chair Haruki, Vice Chairperson Barcarse and Members of the Hawai‘i State BOE,

We would like to provide testimony relating to Items IV(A&B) and VI(A)

Charter schools in Hawai‘i have been pioneering a new era in education for 25 years. We are empowering students with innovative learning approaches and fostering a passion for knowledge that transcends traditional boundaries. As we stride into an era demanding creativity, adaptability, and excellence, our charter schools stand at the forefront of redefining educational standards and shaping tomorrow's leaders. The Hawai‘i Public Charter School Network (HPCSN) has been advocating for charter schools in Hawai‘i since 1998. Three of our board directors were on the founding board of our Network. They are alarmed by the current state of oversight of our schools by the State Public Charter School Commission.

The statutorily granted autonomy of charter schools is challenged every day by the State Public Charter School Commission. They are determined to force bureaucratic compliance under the guise of a newly modified mission. The original mission of the Commission is defined in the law (§302D-3(b)). It says, “The mission of the commission shall be to authorize high-quality public charter schools throughout the State.” The new mission (on page 15 of their 2023 Annual Report) is “to authorize high-quality public charter schools throughout Hawai‘i by soliciting, evaluating, and approving applications for new schools; negotiating and executing sound school contracts; monitoring performance and legal compliance of our schools; and determining renewal, nonrenewal, or revocation of their charter contracts.” This has created an adversarial relationship with the majority of our charter schools. Even submitting testimony for Commission meetings has been made difficult. With an allocation of two minutes for oral testimony, the Commission requires that “written testimony be submitted by 8:00 a.m. three business day[sic] prior to the Commission meeting to be included in the Commission’s board packet.” Notification of meetings are posted at the end of the day on Fridays. Written testimony is due by 8:00 am on Monday mornings for meetings always held on Thursdays. Very little written testimony is ever submitted. The following examples of HPCSN written testimony were submitted this year at Commission General Business meetings.

The Hawai'i Public Charter Schools Network submitted written testimony expressing grave concerns regarding Charter School Contract 4.0 to Chairperson Ikeda, Vice Chair Alencastre, and members of the State Public Charter School Commission on June 8, 2023. Our concerns covered various issues: violations of statutory or regulatory provisions, excessive exercise of authority by the Commission, unlawful procedures, arbitrary actions, conflicts with national best practices, and the absence of clear delineation of the Commission's roles and responsibilities. We have communicated these concerns to the Commission and the Attorney General's Office since 2021. They have still not been adequately addressed. Many school leaders still find the contract confusing, burdensome, and inconsistent with national best practices and our charter school state laws (§302D).

We testified in writing again at the Commissions General Business meeting on August 10, 2023, regarding potential Hawai'i Sunshine Law violations during the July 13, 2023 meeting. Commissioner Takamura's unagendized discussion about the "nepotism" law lacked transparency and denied public participation, breaching the law's principles. HPCSN emphasized the importance of compliance with the law for fair decision-making. We questioned Commissioner Takamura's grasp of constitutional principles and raised concerns about his motives based on past interactions with a member school. HPCSN urged an investigation into possible violations and a review of the Code of Conduct development process, emphasizing the need for inclusive dialogue among stakeholders for transparent and fair decisions moving forward. The Commission has still not developed a Code of Conduct mandated by BOE Policy 201-1.

During the August 19, 2023 Commission meeting, the Network urged a reset in the Commission's relationship with schools for better advocacy and collaboration. We highlighted concerns about the commission staff's impact on charter schools' reputation due to lobbying efforts during the previous legislative session. Our recommendations for advocacy during the upcoming legislature included limiting staff authority to speak for the Commission, requiring consultation and public input before taking stances, and aligning with principles for charter school autonomy and accountability. Specific concerns addressed the Commission's role, funding distribution, SPED conflicts, and collective bargaining. The Network invited collaboration on these issues, emphasizing unity over past conflicts.

With no progress towards resolution of any of the issues identified formally at Commission meetings, a delegation of our Network board members were finalizing a meeting with the Governor and the Lt. Governor when the tragic fires devastated Lahaina. We were finally able to reschedule a meeting with the Lt. Governor on November 9, 2023. Many of our concerns were discussed with Lt. Governor Luke and members of her staff. We asked if she would support our Network meeting with the State Attorney General and the DOE Superintendent. The Lt. Governor agreed that we could let both of them know that we had discussed our issues with her. We sent urgent pleas for guidance to Attorney General Anne Lopez and Superintendent Hayashi on December 6, 2023.

To empower, support, and unify charter schools and the charter school system in the State of Hawai'i

In our letter to the Attorney General, we highlighted multiple challenges arising from unilateral decisions by state departments, notably the DOE. Another primary concern centered on conflicts of interest within legal representation for charter schools, where deputy attorneys general advocating for charter schools also support the DOE, often creating inherent conflicts. We are seeking the Attorney General's expertise on various specific issues including: unemployment insurance, workers' compensation, collective bargaining funds, funding allocations, student services, enrollment discrepancies, due process rights, and contract renewals. We told the Superintendent that our primary goal is to collaborate effectively with the DOE for the benefit of all students. We told him about past engagement between our Network and his office aimed at addressing crucial issues. These meetings, mandated by a 2003 lawsuit (Hawai'i Third Circuit Court Civil No. 02-1-0011), were constructive, and that the Lt. Governor agreed that we should reinstate these discussions for transparent communication and productive collaboration. We urged him to schedule a meeting with a delegation of our Network board directors at his earliest convenience.

On December 14, 2023 the State Public Charter School Commission met in executive session during its general business meeting. A recent Civil Beat article (<https://www.civilbeat.org/2023/12/the-sunshine-blog-the-Hawai'i-board-of-education-could-use-some-sunshine/>) pointed out that in 2019, the Hawai'i State Supreme Court addressed the notion of whether county and state boards could claim "it's a personnel matter" and hold secret discussions about hiring, firing or evaluating government officials. The ruling said that executive sessions could only be allowed when the hiring, firing or evaluation involves a matter of highly personal privacy. We anticipate legal challenges to the appointment of the Commission's new executive director based on the Supreme Court ruling.

The HPCSN fully supports the illuminating findings and recommendations in the BOE report on the performance evaluation of the State Public Charter School Commission. We hoped for opportunities to explore further options for our involvement in the process of improvement outlined. We were astounded by the Commission's failure to meet the condition for the extended performance evaluation response form deadline and the failure of the Commission (and/or its PIG) to comment on the draft evaluation report. There are many much-needed changes to bring the Commission into compliance with §302D-6 (Principles and standards for charter authorizing). Members of the Commission stymied the evaluation process. We respectfully encourage the BOE to consider potential actions that could be taken in accordance with §302D-3.

Mahalo for this opportunity to share our concerns.