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STATE OF HAWAII
**STATE PUBLIC CHARTER SCHOOL
COMMISSION ('ĀHA KULA HO'ĀMANA)**
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DATE: June 13, 2019

TO: Catherine Payne, Chairperson
Board of Education

FROM: John 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 University Laboratory School

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 July 16, 2013 general business meeting, the Board of Education (BOE) approved the University Laboratory School waiver request to Board Policy 4540, High School Graduation Requirements and Commencement Policy. Board Policy 4540 was a predecessor policy to the current BOE Policy 102-15, High School Graduation and Commencement. This waiver was effective beginning with the 2013-2014 school year.

At its May 3, 2018 general business meeting, the BOE granted University Laboratory School an extension to the waiver of Board Policy 102-15 to be applicable for the graduating classes of 2014 through 2022.

At its June 13, 2019 general business meeting, the Commission received information for consideration on University Laboratory School's request. The request is to continue its current exemption to Board Policy 102-15 (**Exhibit 2**). The University Laboratory School's current exemption sets higher requirements in core subject areas 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 the University Laboratory School'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 the University Laboratory School'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 University Laboratory School'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.

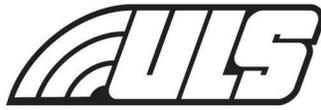
The waiver applies to any students who transfer into the charter school after ninth grade in the same way it applies to their other class peers at the charter school. Conversely, any student in a charter school with an active waiver who transfers to a different public school will be subject to the graduation 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

University Laboratory School
Request for Exemption to Board Policy 102-15



UNIVERSITY LABORATORY SCHOOL

A Hawai'i Public Charter School
1776 University Avenue UHS #3-121, Honolulu, Hawai'i 96822
Telephone (808) 956-7833 Fax Number (808) 956-7260

DATE: April 11, 2019

TO: Hawai'i State Public Charter School Commission

FROM: Denise Yoshimori-Yamamoto, Governing Board Chair
A. Keoni Jeremiah, Principal

SUBJECT: University Laboratory School's Waiver Request from the Board of Education
Policy 102-15 on Graduation Requirements for High School

The University Laboratory School (ULS) is requesting a waiver from the Hawai'i State Board of Education (BOE) Policy 101-15, on graduation requirements for high school. ULS seeks permission to maintain its graduation requirements that differ from Board Policy 102-15 for future graduating classes, beginning with the Class of 2023 until such time Board Policy 102-15 or the ULS graduation requirements change.

This is consistent with the waiver granted by the BOE to ULS in 2013, in which ULS sought and received permission to set academic requirements higher than those of BOE Policy 4540, the predecessor to Board Policy 102-15.

To continue the exemption from graduation requirements, another waiver must be granted from the Board through the State Public Charter School Commission before next school year. We are asking the Commission to consider the University Laboratory School's diploma waiver request and provide a recommendation to grant the diploma waiver to the Board.

Background

The State Charter School Commission (SPCSC or Commission) charter contract contains a provision requiring charter schools to comply with the high school graduation requirements set in [BOE Policy 102-15](#); this provision also states a waiver may be requested from the BOE.

Charter Contract - Section 4.4 Graduation Requirements for High School

The School shall comply with 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.

At its July 16, 2013, general business meeting, the Board of Education ("Board") granted a waiver to University Laboratory School from the graduation requirements set forth in Board Policy 4540, High School Graduation Requirements and Commencement Policy, a predecessor to current Board Policy 102-15, High School Graduation Requirements and Commencement.

The graduation requirements set forth in University Laboratory School's plan were (and are) comparable to requirements set forth by the Board's policy. However, University Laboratory School sets higher requirements in core subject areas in lieu of as many elective courses, while the Board's policy required less credits in core subject areas and a higher amount of credits in elective courses. For example, 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 102-15. The details of the comparison are included in the chart below.

Information about the University Laboratory School's Education Program

All students at the University Laboratory School receive a comprehensive academic program by grade-level cohort, enrolling each year in English, social studies, science, mathematics, art, and instrumental or vocal music, plus physical education, health, freshman seminar, and in grades 10–12, a second language, a college & career seminar, and an elective course. Technology is integrated in various courses and grade-levels, and represents a pillar of our effort to prepare students to succeed in the 21st century.

Additional information about the school can be found listed below:

1. University Laboratory School - Grades 9-12 Academic program
2. Diploma waiver request matrix comparison of the high school graduation requirements

University Laboratory School - Grades 9–12 Academic Program

	Grade 9	Grade 10	Grade 11	Grade 12
English (4 yrs requirement)	Language, Literature & Writing	Asian, Pacific, & Local Literature & Writing	Literature of the Americas & Writing	British/European Literature & Writing
Math (4 yrs requirement)	Integrated Math I	Integrated Math II	Integrated Math III	Integrated Math IV
Science (4 yrs requirement)	Marine Science with Lab	Practices in Physics & Technology with Lab	Chemistry with Lab	Biology With Lab
Social Studies (4 yrs requirement)	Modern History of Hawai'i	Modern World History & Geography	United States History & Government	Ethics; Civics
Second Language (3 yrs requirement)	N/A	Hawaiian I, Japanese I, Spanish I,	Hawaiian II, Japanese II, Spanish II,	Hawaiian III, Japanese III, Spanish III
Art (4 yrs requirement)	Students choose from Ceramics, Drawing & Painting, Fiber Arts, or Sculpture			
Music (4 yrs requirement)	Students participate in Band, Chorus or Orchestra			
Physical Education (1 semester)/ Health (1 semester)	Phys. Ed.; Health			
Other (5 semesters req.)	Seminar- Holomua (1 year)	College & Career Seminar (3 semesters)		
Electives (3 years req.)	N/A	Digital Photography; Fitness & Flexibility; Global Issues through Film; Global Leadership; Hula & Chant; Japanese Traditional & Pop Culture; Kimono Culture; Science Research; Select Choir; Speech and Debate; Wearable Art; Weightlifting; Yearbook.		

Course Requirements	Hawaii High School Diploma	University Laboratory School Diploma
English	4.0 credits including: English Language Arts 1 (1.0 credit) and English Language Arts 2 (1.0 credit); Expository Writing* (0.5 credit); and Common Core aligned language arts electives or proficiency based equivalents [ELA basic electives (1.5 credits)]	4.0 credits , including Language, Literature & Writing; Asian, Pacific, & Local Literature & Writing; Literature of the Americas & Writing; British/European Literature & Writing
Social Studies	4.0 credits including: U.S. History and Government (1.0 credit); and World History and Culture (1.0 credit); and Modern History of Hawaii (0.5 credit); and Participation in a Democracy (0.5 credit); and Social Studies basic elective (1.0 credit)	4.0 credits , including Modern History of Hawai'i; Modern World History & Geography; United States History & Government; Ethics (0.5); Civics(0.5)
Mathematics	3.0 credits including: Algebra 1 (1.0 credit); and Geometry (1.0 credit); and mathematics basic elective (1.0 credit)	4.0 credits , including Integrated Math I; Integrated Math II; Integrated Math III (Algebra and functions, geometry and trigonometry, statistics and probability, and discrete mathematics); and Integrated Math IV (Preparation for Calculus).
Science	3.0 credits including: Biology 1 (1.0 credit); and science basic electives (2.0 credits)	4.0 credits , including Marine Science with Lab; Practices in Physics & Technology with Lab; Chemistry with Lab; Biology with Lab
World Language, Fine Arts, Career and Technical Education	2.0 credits in one of the specified programs of study. Note: Two credits in a single World Language. Credits must be taken in sequence with consecutive course numbers in the study of one language. Two credits in a Fine Arts discipline: Visual Arts, Music, Drama or Dance. Credits do not need to be in a single discipline.	3.0 credits in Second Language, including Hawaiian, Japanese, or Spanish Language I, II, III 4.0 credits in Performing Arts, including Band, Choir, or Orchestra 4.0 credits in Visual Arts, including Ceramics, Drawing & Painting, Fiber Arts, or Sculpture
Physical Education	1.0 credit including Physical Education Lifetime Fitness (0.5 credit); and Physical Education basic elective (0.5 credit)	0.5 credit
Health	0.5 credit in Health Today and Tomorrow	0.5 credit
Personal/ Transition Plan	0.5 credit	2.5 credits including Holomua seminar and College & Career seminar
Electives	6 credits (Any Subject Area)	3.0 credits
TOTAL	24.0 credits	33.5 credits