

Honolulu, Hawaii

May 1, 2007

RE: S.B. No. 603  
S.D. 2  
H.D. 2  
C.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 603, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to improve the public charter school system by clarifying the functions, duties, and roles of the Charter School Review Panel and the Board of Education in the administration and operations of the charter schools in the State.

Your Committee on Conference finds that public charter schools throughout the State serve an important function by creating choices for parents and students within the public school system, while providing a system of accountability for student achievement. Charter schools encourage innovation and provide opportunities for parents to play powerful roles in shaping and supporting the education of their children. Pursuant to Act 298, Session Laws of



Hawaii 2006, the Legislature sought to improve the charter school system by adopting proposals recommended by the Task Force on Charter School Governance that was established by Act 87, Session Laws of Hawaii 2005. However, additional reform is necessary to allow charter schools in the State to continue to strive for excellence through effective and efficient operations.

Your Committee on Conference believes that with the numerous duties imposed on the Board of Education and the need for the charter schools to be more autonomous, the Charter School Review Panel should be given increased authority over the administration and operations of the charter schools within the State. However, it is not the intent of the Legislature to alter or affect the Board of Education's role as the State Education Agency for Hawaii. Additionally, the Board of Education should continue to be the final authority over certain decisions of the Panel. Your Committee on Conference determines that the increased authority should include the authority to approve charter school applications; revoke charters; approve amendments to detailed implementation plans; and hire the Executive Director of the Charter School Administrative Office, as the decision should be brought closer to its constituency, as well as approval of the hiring of staff. As a result of this increased authority, your Committee on Conference finds that greater accountability and greater transparency are also necessary in the operations of the Charter School Review Panel.

Upon further review, your Committee on Conference has amended this measure by:

- (1) Specifying that it is not the Legislature's intent to alter or affect the Board of Education's role as the State Education Agency for the State of Hawaii;
- (2) Authorizing the Charter School Review Panel to review, approve, or deny charter school applications; revoke school charters; and review, approve, or deny amendments to school detailed implementation plans;
- (3) Establishing a review process for appeals from decisions of the Charter School Review Panel to the Board of Education;
- (4) Changing the term of the Executive Director of the Charter School Administrative Office to a maximum of four years;



- (5) Authorizing the Charter School Review Panel to hire and evaluate an Executive Director, as well as approve the hiring of staff;
- (6) Making the Charter School Review Panel subject to the requirements of chapter 92, Hawaii Revised Statutes;
- (7) Changing the composition of the panel by including an additional representative from the University of Hawaii, removing the parent of a charter school student, and ensuring that a certain number of members are not affiliated with charter schools;
- (8) Requiring the additional members of the panel, as a result of increased membership of the panel, to be appointed by September 1, 2007, and establishing interim quorum requirements to allow the panel to operate until all twelve panel members have been appointed;
- (9) Removing language that requires the Board of Education to submit to the Legislature annual appropriation requests to fund panel operations;
- (10) Authorizing the panel to make adjustments to charter school allocations due to noncompliance with federal and state reporting requirements;
- (11) Updating the funding formula to ensure that charter school allocations are based on the most recent department budget base;
- (12) Removing the appropriation to the Charter School Administrative Office for various cost items; and
- (13) Changing the effective date to upon approval and including language to preserve changes to section 89-6(g), Hawaii Revised Statutes, upon repeal and reenactment under Act 245, Session Laws of Hawaii 2005.



As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 603, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 603, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



ROY TAKUMI, Co-Chair



NORMAN SAKAMOTO, Chair



MARCUS R. OSHIRO, Co-Chair





ROSALYN H. BAKER, Co-Chair



# Hawaii State Legislature

## Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: <b>SB 603, SD 2, HD 2</b>					Date/Time: <b>4/27/07 1:37pm</b>					
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).										
<input type="checkbox"/> The Committee is reconsidering its previous decision.										
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.					
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E	
SAKAMOTO, Norman, Chr.	✓				TAKUMI, Roy M., Co-Chr.	✓				
BAKER, Rosalyn H., Co-Chr.	✓				OSHIRO, Marcus R., Co-Chr.	✓				
HOOSER, Gary L.	✓				LEE, Marilyn B.	✓				
TOKUDA, Jill N.	✓				FINNEGAN, Lynn	✓				
GABBARD, Mike	✓									
CHUN OAKLAND, Suzanne	✓			NS						
TOTAL	6	-	-	NS	TOTAL	4	-	-	-	
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused			
Senate Recommendation is:					House Recommendation is:					
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:					
										
Distribution:		Original			Yellow		Pink		Goldenrod	
		File with Conference Committee Report			House Clerk's Office		Senate Clerk's Office		Drafting Agency	