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## A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 302B-15, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§302B-15 Responsibilities of department of education;  
4 special education services. (a) The department shall  
5 collaborate with the office to develop a system of technical  
6 assistance related to compliance with federal and state laws and  
7 access to federal and state funds. The department and the  
8 office shall collaborate to develop a list of central services  
9 that the department may offer for purchase by a charter school  
10 at an annual cost to be negotiated between an individual charter  
11 school and the department. The department shall enter into a  
12 contract with a charter school to provide these services, which  
13 shall be renegotiated on an annual basis.

14           (b) The department shall be responsible for the provision  
15 of a free appropriate public education. Any charter school that  
16 enrolls special education students or identifies one of its  
17 students as eligible for special education shall be responsible  
18 for providing the educational and related services required by a



1 student's individualized education program. The programs and  
2 services for the student shall be determined collaboratively by  
3 the student's individualized education program team and the  
4 student's parents or legal guardians.

5 If the charter school is unable to provide all of the  
6 required services, then services to the student shall be  
7 provided by the department according to services determined by  
8 the student's individualized educational program team. [The  
9 ~~department shall collaborate with the office to develop~~  
10 ~~guidelines related to the provision of special education~~  
11 ~~services and resources to each charter school. The department~~  
12 ~~shall review all of the current individualized education~~  
13 ~~programs of special education students enrolled in a] A charter  
14 school ~~[and]~~ may ~~[offer]~~ request from the department, staff,  
15 funding, or both, ~~[to the charter school]~~ based upon a per-pupil  
16 weighted formula implemented by the department and used to  
17 allocate resources for special education students in the public  
18 schools."~~

19 SECTION 2. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

21 SECTION 3. This Act shall take effect on July 1, 2008.

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INTRODUCED BY: Colleen May B.R.

JAN 23 2008



**Report Title:**

Education

**Description:**

Allows charter schools to receive special education services, staff, and funds.

