A BILL FOR AN ACT

RELATING TO RECONSTITUTING SCHOOLS.

be revoked.

HB LRB 11-0851.doc

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

SECTION 1. Public schools, including charter schools that 1 2 have been in restructuring for four or more years and have not 3 made significant advancements toward improving academic 4 performance should be reconstituted using extraordinary 5 Drastic steps must be taken to ensure that our measures. 6 students make adequate academic progress. 7 The purpose of this Act is to allow the superintendent of 8 education to: 9 Reconstitute a public school after certain (1)10 considerations have been made, except for a charter 11 school that has been in restructuring for four or more 12 school years and has not made significant advancements 13 toward improving academic performance; and (2)14 Recommend to the charter school review panel actions 15 that should be taken to reconstitute a charter school 16 that has been in restructuring for four or more school 17 years and recommend that the charter school's charter

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1	SECTI	ON 2. Chapter 302A, Hawaii Revised Statutes, is	
2	amended by	adding a new section to be appropriately designated	
3	and to read as follows:		
4.	" <u>§</u> 302	A- Reconstituting schools. (a) Notwithstanding	
5	<u>collective</u>	bargaining agreements, memorandums of agreement, or	
6	memorandum	s of understanding, the superintendent may	
7	reconstitu	te a public school, except a charter school that has	
8	been in re	structuring, as defined by the No Child Left Behind	
9	<u>Act of 200</u>	1, Public Law 107-110, for four or more school years	
10	and has no	t made significant advancements toward improving	
11	<u>academic p</u>	erformance, as determined by a statistical analysis of	
12	<u>academic d</u>	ata; provided that the following have been considered:	
13	(1)	Student proficiency in reading and math in the period	
14		during which the school is in restructuring;	
15	(2)	Interventions and other programs being used by the	
16		school to address student proficiency;	
17	(3)	The number of highly qualified or effective teachers	
18		at the school;	
19	(4)	Professional development being conducted at the	
20		school;	
21	(5)	Input from school faculty and staff, complex	
22		specialists, and state office program specialists; and	



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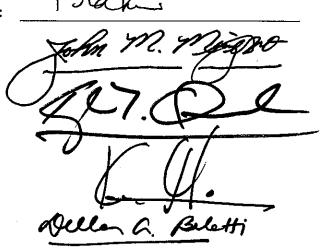
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1	(6)	Input from the school community council;
2	provided	further that the superintendent has made a
3	recommend	ation to the board to reconstitute the school, taking
4	<u>into cons</u>	ideration the recommendation of the complex area
5	superinte	ndent, if any.
6	<u>(b)</u>	In reconstituting a public school, the superintendent
7	<u>may take</u>	actions that include:
8	(1)	Replacing all or most of the staff, including
9		teachers, principals, and other support staff;
10	(2)	Entering into contracts with private entities to
11		manage schools; and
12	(3)	Changing the membership of the school community
13		council.
14	<u>(c)</u>	The department shall negotiate with the respective
15	unions th	e process of reassigning employees of the school to be
16	reconstit	uted to other positions within the department for which
17	the emplo	yees are qualified.
18	<u>(d)</u>	The department shall follow the current hiring and
19	<u>recruitin</u>	g procedures for all employees to be employed at the
20	reconstit	uted school.
21	(e)	The board of education shall adopt rules pursuant to
22	<u>chapter 9</u>	1 as may be necessary to implement this section."



1	SECTION 3. Chapter 302B, Hawaii Revised Statutes, is
2	amended by adding a new section to be appropriately designated
3	and to read as follows:
4	" <u>\$302B-</u> Reconstituting public charter schools. (a)
5	The superintendent may recommend actions to the charter school
6	review panel that should be taken to reconstitute a charter
7	school that has been in restructuring, as defined by the No
8	Child Left Behind Act of 2001, Public Law 107-110, for four or
9	more school years, and may recommend that the charter school
10	review panel revoke the charter school's charter.
11	(b) The board of education shall adopt rules pursuant to
12	chapter 91 as may be necessary to implement this section."
13	SECTION 4. New statutory material is underscored.
14	SECTION 5. This Act shall take effect on July 1, 2011.
15	1360

INTRODUCED BY:





JAN 2 1 2011

Report Title: Schools; Reconstitution

Description:

Allows the superintendent of education to reconstitute a public school, except for certain charter schools. Allows the superintendent to recommend actions to charter school review panel, including the revocation of a school's charter.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

