
A BILL FOR AN ACT

RELATING TO THE STATE PUBLIC CHARTER SCHOOL COMMISSION.

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

1 SECTION 1. Section 302D-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§302D-3 State public charter school commission;**
4 **establishment; appointment.** (a) There is established the state
5 public charter school commission with statewide chartering
6 jurisdiction and authority. The commission shall be placed
7 within the department for administrative purposes only.

8 Notwithstanding section 302D-25 and any law to the contrary, the
9 commission shall be subject to chapter 92.

10 (b) The mission of the commission shall be to authorize
11 high-quality public charter schools throughout the State.

12 (c) The commission shall consist of nine members to be
13 appointed by the board. The board shall appoint members who
14 will be tasked with authorizing public charter schools that
15 serve the unique and diverse needs of public school students.
16 The chair of the commission shall be designated by the members
17 of the commission for each school year beginning July 1, and



1 whenever there is a vacancy. The board shall consider the
2 combination of abilities, breadth of experiences, and
3 characteristics of the commission, including but not limited to
4 reflecting the diversity of the student population, geographical
5 representation, and a broad representation of education-related
6 stakeholders. The commission shall be exempt from sections
7 26-34 and 26-36.

8 (d) Understanding that the role of the commission is to
9 ensure a long-term strategic vision for Hawaii's public charter
10 schools, each nominee to the commission shall meet the following
11 minimum qualifications:

12 (1) Commitment to education. Each nominee's record should
13 demonstrate a deep and abiding interest in education,
14 and a dedication to the social, academic, and
15 character development of young people through the
16 administration of a high performing charter school
17 system;

18 (2) Record of integrity, civic virtue, and high ethical
19 standards. Each nominee shall demonstrate integrity,
20 civic virtue, and high ethical standards and be
21 willing to hold fellow commission members to the same;



1 (3) Availability for constructive engagement. Each
2 nominee shall commit to being a conscientious and
3 attentive commission member; and

4 (4) Knowledge of best practices. Each nominee shall have
5 an understanding of best practices in charter school
6 educational governance or shall be willing to be
7 trained in such.

8 (e) Each nominee to the commission shall ideally meet the
9 following recommended qualifications:

10 (1) Experience governing complex organizations. Each
11 nominee should possess experience with complex
12 organizations, including but not limited to
13 performance contract management, and a proven ability
14 to function productively within them; and

15 (2) Collaborative leadership ability. Each nominee should
16 have substantial leadership experience that ideally
17 illustrates the nominee's ability to function among
18 diverse colleagues as an effective team member, with
19 the ability to articulate, understand, and help shape
20 consensus surrounding commission policies.



1 (f) Five members of the commission shall constitute a
2 quorum to conduct business. Any action taken by the commission
3 shall be by a simple majority of the members of the commission
4 who are present; provided that any action of the commission that
5 may be appealed pursuant to section 302D-15 shall require a
6 concurrence of at least five members to be valid.

7 (g) Commission members shall serve not more than three
8 consecutive three-year terms, with each term beginning on
9 July 1; provided that the initial terms that commence after
10 June 30, 2012, shall be staggered as follows:

11 (1) Three members, including the chairperson, to serve
12 three-year terms;

13 (2) Three members to serve two-year terms; and

14 (3) Three members to serve one-year terms.

15 (h) Notwithstanding the terms of the members, the board
16 may fill vacancies in the commission at any time when a vacancy
17 occurs due to resignation, non-participation, the request of a
18 majority of the commission members, or termination by the board
19 for cause.

20 (i) Commission members shall receive no compensation.

21 When commission duties require that a commission member take



1 leave of the member's duties as a state employee, the
2 appropriate state department shall allow the commission member
3 to be placed on administrative leave with pay and shall provide
4 substitutes, when necessary, to fulfill that member's
5 departmental duties. Members shall be reimbursed for necessary
6 travel expenses incurred in the conduct of official commission
7 business.

8 (j) The commission shall operate with dedicated resources
9 and staff qualified to execute the day-to-day responsibilities
10 of the commission pursuant to this chapter. Beginning with the
11 2015-2016 fiscal year, the legislature shall make an
12 appropriation to the commission separate from, and in addition
13 to, any appropriation made to charter schools pursuant to
14 sections 302D-28 and 302D-29.5.

15 (k) The commission shall have the power to hire staff
16 without regard to chapters 76 and 89. The commission shall
17 determine staff wages, hours, benefits, and other terms and
18 conditions for employment in accordance with chapter 89C.

19 (l) The commission shall have the power to establish and
20 fund charter school prekindergarten classrooms."



1 SECTION 2. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2019-2020 for
4 the state public charter school commission to establish and fund
5 charter school prekindergarten classrooms.

6 The sum appropriated shall be expended by the state public
7 charter school commission for the purposes of this Act.

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

State Public Charter School Commission; Prekindergarten
Classrooms; Appropriation

Description:

Authorizes the state public charter school commission to
establish and fund charter school prekindergarten classrooms.
Makes an appropriation. Effective 7/1/2050. (SD1)

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not legislation or evidence of legislative intent.*

